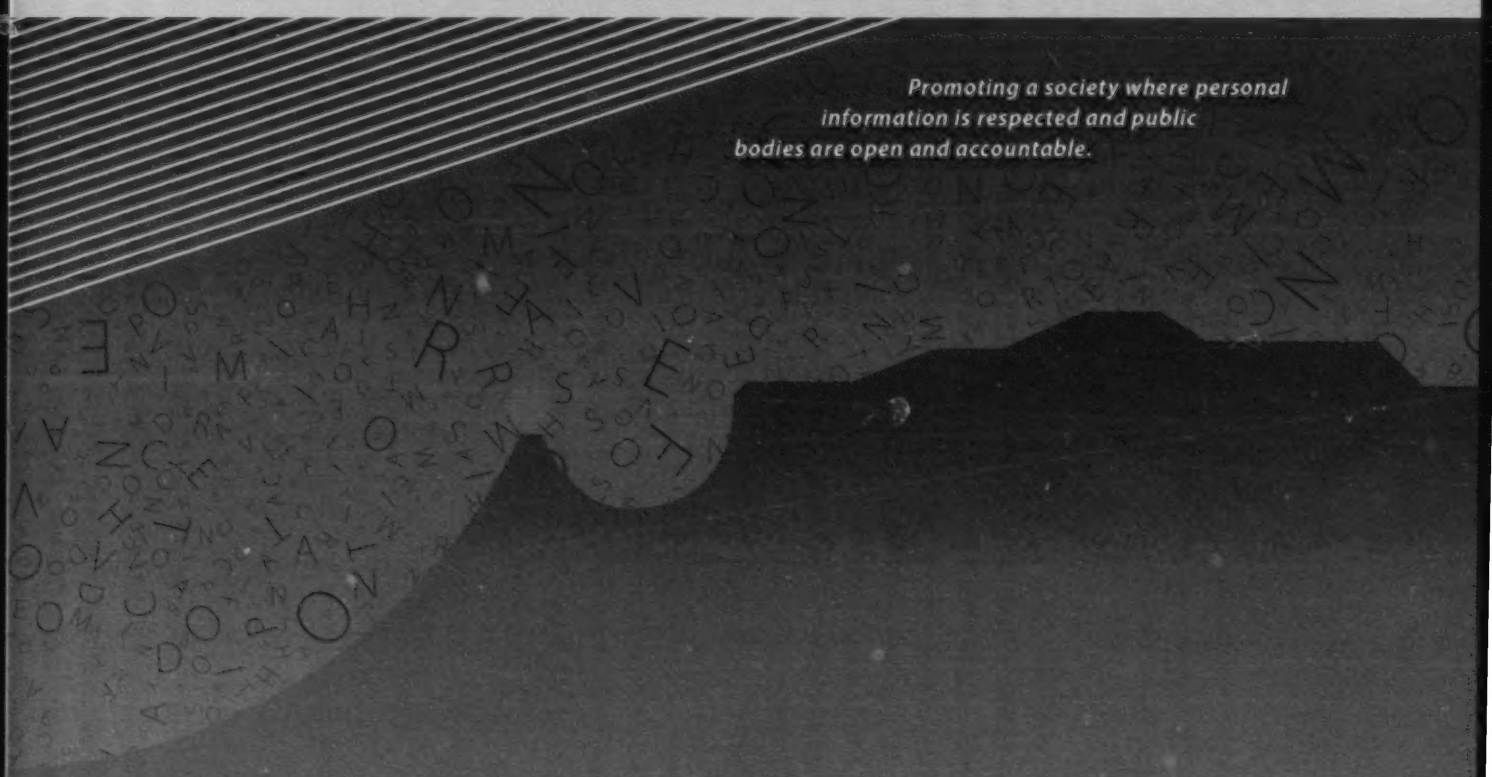
2011-12 Office of the Information and Privacy Commissioner of Alberta Annual Report

Promoting a society where personal information is respected and public bodies are open and accountable.



Office of the Information and Privacy Commissioner

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SEPTEMBER 2012

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MESSAGE FROM THE COMMISSIONER

This past year saw a number of significant changes for the Office of the Information and Privacy Commissioner (OIPC).

In May 2011, Frank Work, Information and Privacy Commissioner of Alberta since 2002, announced he would not seek reappointment when his term expired. Mr. Work started with the Office when it was established in 1995, serving as Assistant Commissioner and General Counsel. He was appointed Commissioner in 2002 and reappointed in 2007. As Commissioner, Mr. Work was well-known for his deep knowledge of access and privacy issues, as well as his willingness to speak frankly. His pride in the work of the Office was heartfelt and his contributions tremendous. The Office and its staff members benefited greatly from his passion and leadership.

Mr. Work's term ended in December 2011, and Marylin Mun, Assistant Commissioner, was appointed Acting Commissioner. I would like to thank Ms. Mun for her dedication and commitment to the Office during this period of transition, and for the support she has continued to provide since I began my term as Information and Privacy Commissioner on February 1, 2012.

The detailed work of the Office is described throughout this report, but I would like to take the opportunity to highlight some of the events of the past year, including some key investigation reports and studies, data breaches, legal matters, and inter-jurisdictional cooperation and proactive guidance.

Investigation Reports and Studies

- In October 2011, the Commissioner released his report of an **investigation into the use of a secondary email address** by former Minister of Sustainable Resource Development Ted Morton. The investigation was prompted by a media report that alleged that Mr. Morton was using a covert email address to evade potential public scrutiny. The Commissioner's investigation determined that neither Mr. Morton nor his staff willfully concealed or destroyed emails or other records with the intent to evade a request for access to those records and found no evidence that an offence had been committed under the *Freedom of Information and Protection of Privacy Act (FOIP Act)*.
- In conjunction with the above investigation report, the Commissioner released a report reviewing the **management of Ministers' email addresses** and emails generally, as records under the *FOIP Act*. The report emphasized that emails are records under the *FOIP Act* and must be managed in accordance with Government of Alberta records retention and disposition schedules. The report made six recommendations, including, among other things, that the Government of Alberta develop a policy regarding the issuance of multiple government email addresses, maintain a listing of government issued email addresses, ensure all records are captured by a records retention and disposition schedule, and provide records management training to all staff, including at the Executive levels.
- In November, the Office published **findings from a study of Alberta laws containing paramountcy provisions.** "Paramountcy" provisions are sometimes included in a bill so that the *FOIP Act* will not apply. The review identified 38 Acts or Regulations in Alberta containing paramountcy clauses. Former Commissioner Work commented at the time that the practice had the potential to turn the *FOIP Act* "into a piece of Swiss cheese." He recommended that any future bills containing paramountcy provisions be flagged for whichever Legislative Committee would be reviewing the bill. He also urged the incoming Information and Privacy Commissioner to adopt the practice of checking with the minister responsible for a bill, so that a decision might be made as to whether such a clause is justifiable.

Data Breaches

- Reporting certain data breaches to the Information and Privacy Commissioner is mandatory for private sector organizations under the *Personal Information Protection Act (PIPA)*. In August 2011, the OIPC shared some **startling statistics about data breaches,** reporting more than 90 breach reports had been received in 16 months. The majority of reported breaches resulted from human error including email, fax or regular mail transmission errors; stolen or lost unencrypted electronic devices; and improper destruction of records and electronic media. In many of these cases, the risk of harm to individuals could have been mitigated with reasonable safeguards, particularly encryption of mobile devices.

- In December 2011, **an Alberta pharmacist pleaded guilty to knowingly obtaining or attempting to obtain health information** in contravention of the *Health Information Act (HIA)*. The pharmacist was fined $15,000.

  The pharmacist was charged after a complaint was made to the OIPC alleging that a patient's health information had been accessed through Alberta Netcare and information about prescription medication the patient was taking posted on Facebook. Following the initial complaint, three other women complained that their health information had been accessed by the pharmacist. Audit logs revealed health information of eight other individuals had also been compromised.

  This was the second prosecution under the *HIA* for misuse of health information. In 2007, a medical clerk from Calgary pleaded guilty to accessing health information in contravention of the *HIA* and was fined $10,000.

Legal Matters

- In June 2011, the Commissioner sought **leave to appeal to the Supreme Court of Canada** (SCC) from a ruling of the Court of Appeal of Alberta which had quashed an OIPC decision related to the collection of personal information by **Leon's Furniture Ltd.** The original complaint against Leon's was that the organization was collecting licence plate and driver's licence numbers when customers were picking up merchandise. The company was ordered to stop the practice in an order issued by the OIPC in 2008. The Court of Queen's Bench of Alberta dismissed Leon's application for judicial review, but on appeal, the Court of Appeal quashed the OIPC order. Among other things, the Commissioner was concerned that the decision put Alberta's private sector privacy law at odds with similar laws in other jurisdictions, such as British Columbia and Canada, ultimately putting the citizens of Alberta at a disadvantage. In November 2011, the SCC dismissed the leave application.

- In December 2011, the **SCC issued a decision upholding the Commissioner's interpretation that extending the time for completing an inquiry after the time limit** expires does not automatically terminate an inquiry under the Commissioner's home statutes.

  This case arose after 10 individuals complained to the OIPC that the Alberta Teachers' Association (ATA) had contravened *PIPA* by disclosing their personal information in a newsletter. The Adjudicator who heard the inquiry found that the ATA had contravened *PIPA*.

  On judicial review, the Court of Queen's Bench of Alberta quashed the Adjudicator's decision, and the Court of Appeal of Alberta agreed with this conclusion. The Commissioner publicly expressed his concern that these court decisions would cause Albertans to lose privacy remedies under *PIPA*.

  In its decision, the SCC said that because the Commissioner is an expert in interpreting his own statute, the implied decision of the Adjudicator (that an inquiry is not automatically terminated when a time extension is given outside the 90-day time limit) only had to be reasonable rather than correct.

Inter-jurisdictional cooperation and proactive guidance

- The federal Privacy Commissioner and the Alberta and British Columbia Information and Privacy Commissioners collaborated to publish an online tool to help businesses better safeguard the personal information of customers and employees. The *Securing Personal Information: A Self-Assessment Tool for Organizations* is a detailed online questionnaire and analysis tool that helps organizations gauge how well they are protecting personal information, in keeping with the applicable private-sector privacy law.
- The OIPC published **guidelines on the use of social media** for conducting background checks on individuals. The guidelines provide practical advice to organizations on how much information can or should be collected through social media when performing a background check and highlight that it may be challenging for organizations to meet the "reasonable" requirement in *PIPA* when collecting personal information through social media. The guidelines also point out the hazards associated with using social media to conduct a background check including the inadvertent collection of third party information and the inability to determine the accuracy of information.

Conclusion

In beginning my term as Information and Privacy Commissioner, I am mindful of the increasing complexity of the access and privacy issues we face but also optimistic that Alberta is positioned well to address these issues.

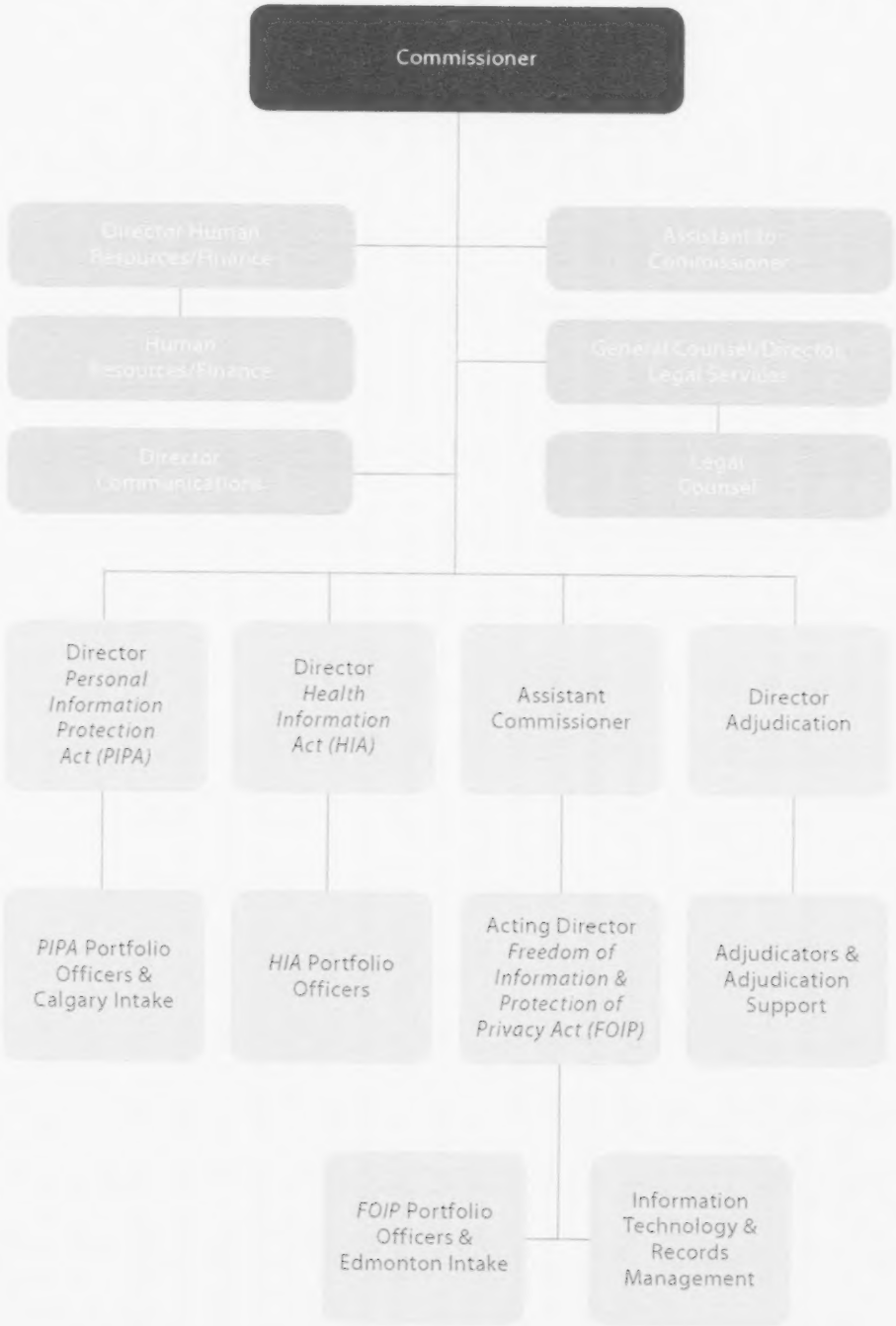
In today's world, where information flows around the globe, is shared between the public, private and health sectors, comes together in massive, integrated databases, and technology innovations become ever more ubiquitous, a commitment to protecting individual privacy is essential. At the same time, it is ever more apparent that citizens want transparency, accountability and openness in their public institutions. They deserve these things, and it is incumbent upon government to strive to not just achieve legislative compliance, but to look for opportunities to do more, to lead. After all, transparency and accountability, coupled with protection of individual privacy, are essential to building public trust.

As we move forward, my Office will focus on consulting with stakeholders and the public in order to anticipate and respond to access and privacy issues, providing proactive direction and advice through investigation reports and published guidance, and ensuring fair, accessible and timely resolution of access and privacy complaints and reviews. This work will not be possible without the dedicated and professional staff of the Office. I am grateful for their commitment to the work that we do.

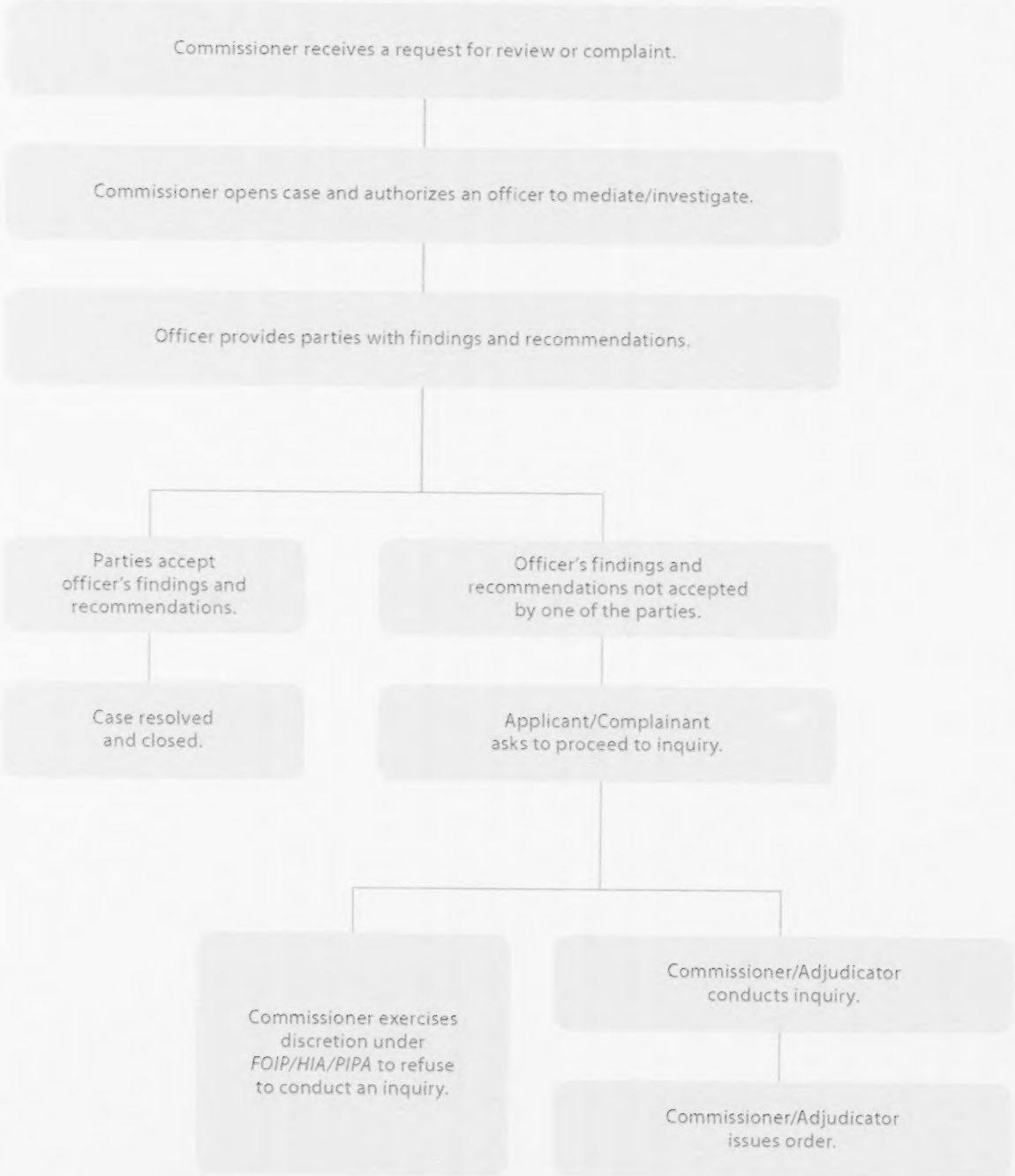
[Original signed by Jill Clayton]

Jill Clayton
Information and Privacy Commissioner of Alberta

ORGANIZATIONAL STRUCTURE 2011-12



THE PROCESS: REQUEST FOR REVIEW/COMPLAINT


Commissioner receives a request for review or complaint.
Commissioner opens case and authorizes an officer to mediate/investigate.
Officer provides parties with findings and recommendations.
Parties accept officer's findings and recommendations.
Officer's findings and recommendations not accepted by one of the parties.
Case resolved and closed.
Applicant/Complainant asks to proceed to inquiry.
Commissioner exercises discretion under FOIP/HIA/PIPA to refuse to conduct an inquiry.
Commissioner/Adjudicator conducts inquiry.
Commissioner/Adjudicator issues order.

2011-12 OVERVIEW

Total Cases Opened	1,288
Total Cases Closed	1,320
Total Orders Issued	55
Total Calls, Emails and Written Enquiries Received	3,969

Breakdown of Cases Opened in 2011-12 by Legislation

	FOIP	HIA	PIPA	Total
Cases Opened	425	610	253	1,288

Comments:

- 64% of cases opened under *FOIP* were related to access to information requests.
- 71% of cases opened under *HIA* were privacy impact assessments from custodians.
- 32% of cases opened under *PIPA* were privacy complaints.
- 70% of the *FOIP* cases and 57% of the *PIPA* cases were opened in response to requests or complaints from members of the public.
- 90% of the *HIA* cases were opened in response to requests, reports or privacy impact assessments from custodians.

Breakdown of Cases Closed in 2011-12 by Legislation

	FOIP	HIA	PIPA	Total
Cases Closed	394	614	312	1,320

Comments:

- 83% of cases that could proceed to inquiry were resolved in the mediation/ investigation process.
- Of the cases that could proceed to inquiry:
  - 35% were resolved within 90 days;
  - 24% were resolved within 91 to 180 days; and
  - 41% took more than 180 days to resolve.

Breakdown on Calls, Emails and Written Enquiries

	FOIP	HIA	PIPA	Non-jurisdictional	Total
Breakdown of Enquiries	885	761	2,120	203	3,969

Comments:

- 77% of the *FOIP* enquiries, 44% of the *HIA* enquiries, and 64% of the *PIPA* enquiries were made by members of the public.

Financial Overview

For 2011-12, our total approved budget was $5.7 million. The total cost of our operating expenses and equipment purchases was $5.6 million. We returned $105,138 (1.8% of our total approved budget) to the Legislative Assembly.

Total Actual Costs Compared to Budget

	Voted Budget	Actual	Difference
Operating Expenses	$ 5,669,000	$ 5,524,829	$ 144,171
Equipment Purchases	40,000	79,033	(39,033)
Total	**$ 5,709,000**	**$ 5,603,862**	**$ 105,138**

Salaries, wages, and employee benefits make up approximately 79% of our operating expenses budget. Due to vacant positions and staff taking fewer courses, we had payroll savings of $30,687.

Supplies and services were $113,484 below budget due primarily to savings on legal costs for judicial reviews. Many of the judicial reviews are ongoing and in various stages, thereby making it difficult to control the timing of expenses. We also purchased less office supplies and printed fewer brochures than anticipated. Savings from operating expenses were used to make additional equipment purchases of $39,033 for disaster recovery.

Total Actual Costs Compared to Prior Year

	2011-12	2010-11	Difference
Operating Expenses	$ 5,524,829	$ 5,423,608	$ (101,221)
Equipment Purchases	79,033	93,949	14,916
Total	**$ 5,603,862**	**$ 5,517,557**	**$ 86,305**

Total costs for operating expenses and equipment purchases increased by $86,305 from the prior year. This is due primarily to increased IT systems maintenance costs for website development, computer purchases, and more staff travel. We did not experience significant increases in payroll costs due to a number of vacant positions.

THE *FREEDOM OF INFORMATION AND PROTECTION OF PRIVACY ACT*

The *Freedom of Information and Protection of Privacy Act* (*FOIP Act*) applies to "public bodies," which include: provincial government ministries, boards, agencies and commissions; educational bodies such as universities, colleges and school boards; health authorities; and local government bodies such as municipalities and police services.

The purposes of the *FOIP Act* are:

- To allow a person a right of access to any record in the custody or under the control of a public body, subject to limited and specific exceptions.
- To give individuals, subject to limited and specific exceptions, a right to request access to and a right to request corrections to their personal information that is held by a public body.
- To protect privacy by setting out the circumstances under which a public body may collect, use or disclose personal information.

The Commissioner and her Office provide independent reviews on decisions made by public bodies and the resolution of complaints. Under the *FOIP Act*:

- Applicants may ask the Commissioner to review any decision, act or failure to act of the head of a public body in relation to their access request.
- Third Parties may ask the Commissioner to review a public body's decision to release their business or personal information in response to an applicant's access request.
- Individuals may ask the Commissioner to review a public body's response to their request for correction of their personal information.
- If an individual believes a public body has collected, use or disclosed his or her personal information in contravention of the *FOIP Act*, the individual may ask the Commissioner to review that matter.

The Commissioner may initiate investigations on her own motion to ensure that public bodies are in compliance with the *FOIP Act*.

Statistics

In 2011-12, the OIPC opened 425 cases and received 885 non-case related enquiries in relation to the *FOIP Act*.

Seventy percent (70%) of the cases opened were in response to requests or complaints from members of the public. The public account for 77% of the non-case related enquiries received by the OIPC.

The OIPC closed 394 cases in 2011-12, 75% of cases that could proceed to inquiry were successfully resolved through the mediation/investigation process.

Consultations

The OIPC continued to provide comment and consultation to public bodies on initiatives and proposed legislation in relation to access and privacy matters.

Under the *FOIP Act*, it is not mandatory for public bodies to prepare or submit a privacy impact assessment (PIA) to the OIPC. However, public bodies will submit PIAs and privacy scans (a shortened version of a PIA) to the OIPC for review and comment. In 2011-12, the OIPC received 22 PIAs under the *FOIP Act*.

The OIPC attends *FOIP* network meetings and conduct presentations on access and privacy matters and the application of the *FOIP Act*.

The OIPC also continued to support the University of Alberta's annual Access and Privacy Conference with participation on the Advisory Committee and conducting presentations at the conference.

Investigation Reports

Edmonton Public Schools – F2012-IR-01

On March 29, 2011, the Edmonton Public School District notified the OIPC that it lost a USB memory stick containing the personal information of more than 7,000 individuals. The USB stick was not password protected or encrypted.

In response to the notification, an investigation was initiated on the Commissioner's own motion. Subsequently, the Commissioner received three separate complaints from individuals whose information was contained on the missing USB stick. Investigations were also opened in response to these complaints.

The OIPC found that the School District had policies and guidelines, training, and practices in place but these were not followed in this incident. The investigation also found that the School District retained personal information for a longer period of time than was necessary.

However, the investigator said the School District took reasonable steps to address the incident and to prevent a recurrence by implementing new procedures for data storage. The School District has presented their "lessons learned" as a result of this breach to other public bodies. During these presentations, the School District has shared that as a result of the breach, they have now put in place processes to respond effectively to future privacy breaches.

Commissioner's Report on Ministers' Use of Secondary Email Addresses

On November 30, 2011, the Commissioner's report on the Government of Alberta's management of Ministers' email addresses and emails as records under the *FOIP Act* was released. The report made six recommendations to ensure that the Government's management of Ministers' emails is in accordance with the provisions of the *FOIP Act* and any records retention and disposition schedules established under the *Records Management Regulation*.

OIPC Information Technology Project

The OIPC, as part of its mandate, is looking to keep abreast of emerging technology initiatives in the hardware and software arenas.

In 2011, the OIPC completed its own PIA on cloud computing. The OIPC noticed that some public bodies were moving to the storage of information in "the cloud". The OIPC wanted to be in the forefront of this technology in order to provide practical comments to public bodies when they were considering this service. The OIPC PIA found that the use of "the cloud" service, though generally a very secure service for storage of information, did not meet the OIPC's own internal needs.

The OIPC has shared its experience with respect to its PIA on cloud computing with various organizations and public bodies.

Access to Information Requests to the Commissioner's Office

In 2011-12, the OIPC received two requests for access to information under the *FOIP Act*. One request was for general information and the responsive records were released to the applicant in their entirety. The second request was for personal information and the applicant was informed that the records requested were excluded from the application of the *FOIP Act* under section 4(1)(d) of the *FOIP Act*.

HEALTH INFORMATION ACT

The *Health Information Act (HIA)* allows health services providers to exchange health information to provide care and to manage the health system. Health information custodians also have several duties to protect their patients' privacy. Finally, the *HIA* gives individuals rights to access their own health information, to request corrections and to have custodians consider their wishes regarding how much of their health information is disclosed, or made accessible through the Alberta provincial electronic health record system (i.e. Alberta Netcare).

The Commissioner's mandate includes the following powers and duties under the *HIA*:

- Reviewing and attempting to resolve concerns about custodians' responses to individuals' access and correction requests regarding their own health records.
- Investigating complaints that health information has been collected, used or disclosed in contravention of the *HIA*.
- Reviewing and commenting on privacy impact assessments submitted by custodians.
- Informing the public about the *HIA*.

Statistics

The OIPC opened 610 cases under the *HIA* in 2011-12. The majority of these cases (434) were privacy impact assessments. The number of privacy complaints received this year (17) is down substantially from 2010-11, when 26 complaints were lodged. Requests from individuals to review custodians' responses to access and correction requests (28) remain consistent with previous years. Custodians voluntarily self-reported 59 privacy breaches this year, which is an increase over the previous year when custodians reported 43 breaches. Custodians continue to seek the OIPC's opinion on a wide range of issues relating to access, privacy and security, resulting in 52 Requests for Information being opened in 2011-12. Finally, *HIA* team members conducted two Offence investigations in 2011-12, one leading to a prosecution, the other leading to findings and recommendations for the custodian involved. Both offence files are described later in this section.

Outreach

In September 2011, members of the College and Association of Registered Nurses joined the other health professionals listed in the *Health Information Regulation* as custodians. The *HIA* team reached out to nurses and other health professions by consulting with professional colleges and associations and by speaking at conferences and training events. Following the Office's first Investigation Report involving the use of health information for research (described below), OIPC staff conducted several meetings and information sessions with the research community to review and interpret this Investigation's findings. Finally, the OIPC maintained its engagement with the Physician Office System Program and the Primary Care Initiative, providing advice and guidance to these major health initiatives regarding health information access and privacy.

Privacy Impact Assessment Reviews

Privacy Impact Assessments (PIAs) allow custodians to identify and mitigate privacy risks associated with a new initiative that collects, uses, or discloses heath information. Section 64 of the *HIA* makes it mandatory for custodians to submit PIAs to the Commissioner for review and comment before implementing these initiatives. In 2011-12, custodians submitted 434 PIAs to the Commissioner. Of note, several Primary Care Networks moved beyond the initial set-up phase and engaged in more complex initiatives that involve health

information sharing among health sector partners. This year also marked the first PIA submissions from nurses as independent custodians. Both Alberta Health and Wellness and Alberta Health Services submitted PIAs that contributed to our understanding of the provincial electronic health record (Alberta Netcare) initiative.

Investigation Reports

Indirect Collection of Health Information Authorized, but Consent Misleading – H2011-IR-001/F2011-IR-001

The Complainant was admitted to Foothills Hospital in Calgary under the *Mental Health Act* (MHA) and claimed that a nurse and a doctor collected his health information from his friends, family and general practitioner without consent. He also claimed that staff at the Peter Lougheed Centre later used his records from his earlier Foothills Hospital visit without his consent after he went there to get a second opinion. The Complainant believed that Alberta Health Services (AHS) had prematurely destroyed surveillance video recordings that would have substantiated complaints about his behaviour.

The investigator found that AHS had not contravened the *HIA* when it indirectly collected the Complainant's health information. However, the investigator found that AHS had led the Complainant to believe it was collecting his health information with his consent, which was not the case. The investigator found that AHS was authorized to use the Complainant's health information when it provided further health services to the Complainant when he sought the second opinion. Finally, the investigator found that AHS' decision to destroy surveillance recordings was not in contravention of the *Freedom of Information and Protection of Privacy Act* (the *FOIP Act*).

AHS agreed to clarify its practices on indirect collection of health information and to give staff additional training. This case provided insight into indirect collection of health information in relation to mental health treatment and the destruction of surveillance recordings.

Researcher and Custodian Fail to Enter into Research Agreement – H2011-IR-002

An individual complained that she had been approached to participate in a study and she wanted to know how the researcher had accessed her health record. The investigation revealed the physician who was conducting the study did not follow the research disclosure process set out in the *HIA*.

The *HIA* makes custodians responsible for considering research requests before health information may be disclosed to researchers. Before disclosing health information, the custodian must enter into a formal research agreement, pursuant to section 54 of the *HIA*.

Covenant Health was the custodian of the health information in question. Besides being a researcher, the physician also worked at a Covenant Health clinic. The physician used health information available through the physician's work at Covenant Health to contact potential research subjects without entering into a research agreement with Covenant Health. Covenant Health was unaware of this activity and had not authorized the research.

The researcher removed the Complainant's health information from the list of study subjects, returned the data to Covenant Health and agreed to enter into an appropriate research agreement with Covenant Health.

Unmanaged Computer Compromised by Malicious Software – H2011-IR-003

The University of Calgary informed the Commissioner that a computer server at the University of Calgary Medical Clinic's (UCMC) Sunridge location had been infected by 9 Trojan horse programs, creating a back-door that allowed an unauthorized external party to take control and copy health information.

Patient demographics, patient referrals, health insurance billing codes and Personal Health Numbers were stored on the server in question. UCMC informed the 5,000 patients who were impacted by this breach and took immediate action to stop the information leakage.

The root cause of the breach was an unmanaged computer server that had not been included in regular security scans. The server's operating system and anti-virus software were out of date and the server had several unnecessary administrator accounts, which allowed malicious software to spread.

The physicians at UCMC agreed to conduct an annual security review of information systems, to conduct a risk assessment before installing new equipment or software and to provide annual training to staff.

Physician Misuse of Alberta Netcare – H2011-IR-004

Three Complainants alleged that a physician had viewed their health information in the provincial electronic health record system, Alberta Netcare, without proper authority. The Commissioner originally pursued this investigation as a possible offence under section 107 of the *HIA*, but the suspected physician refused to provide a cautioned statement and there was not sufficient evidence to directly link the physician to the inappropriate accesses. The Commissioner opted to take an un-cautioned statement from the physician and pursue the matter as an investigation of Covenant Health. An un-cautioned statement is not admissible as evidence in an offence prosecution.

In an un-cautioned statement, the physician admitted to viewing the Complainants' health information in Alberta Netcare without proper authority. The physician did not look at the Complainants' health information using the physician's own Alberta Netcare account. Rather, the physician used 12 colleagues' accounts to look up the Complainants' health information on 15 separate occasions.

The investigator found the physician contravened section 28 of the *HIA* by using health information not in alignment with work responsibilities and that Covenant Health had failed to implement reasonable security controls to prevent this breach, contravening section 60 of the *HIA*. The 12 physicians whose Alberta Netcare accounts were misused did not contravene the *HIA* because they were not trained in Covenant Health's privacy policies and because technical security controls were not properly implemented or enforced.

Covenant Health agreed to set up a regular training program and to work with Alberta Netcare's information managers, Alberta Health Services and Alberta Health and Wellness, to implement technical controls to prevent this kind of misuse of its systems in the future. Covenant Health also reported the physician's actions to the College of Physicians and Surgeons of Alberta.

Offence Investigation Leads to Prosecution and Fine

On December 5, 2011, a pharmacist pleaded guilty to knowingly obtaining or attempting to obtain health information in contravention of the *Health Information Act* and was fined $15,000.

The pharmacist was charged after an individual complained to the Information and Privacy Commissioner alleging that her health information had been accessed through Alberta Netcare and information about a prescription medication she had taken had been posted on Facebook. Following the initial complaint, three other women complained that their health information had also been accessed by the pharmacist. Further, audit logs revealed that the pharmacist had inappropriately accessed eight other individuals' health information.

This is the second conviction against an individual for knowingly contravening the *Health Information Act* since the Act's proclamation in 2001. Both cases involved misuse of Alberta Netcare. In contrast to the previous conviction against a medical clerk in 2006, this case involved a regulated health professional. The pharmacist was also disciplined by her professional college.

PERSONAL INFORMATION PROTECTION ACT

The *Personal Information Protection Act* (*PIPA*) applies to provincially-regulated private sector organizations operating in Alberta. The Act provides rules respecting the collection, use and disclosure of personal information – defined in the Act as "information about an identifiable individual." *PIPA* seeks to balance the right of an individual to have his or her personal information protected, with the need of organizations to collect, use or disclose personal information for reasonable purposes.

The number of new cases opened under *PIPA* in 2011-12 was 253, which represents a decrease of 5% from the previous fiscal year. Thirty-two per cent (32%) of these new cases were privacy complaints, concerning issues such as collection, use, disclosure, and safeguarding of personal information. Twenty-four per cent (24%) of new cases were requests for the Commissioner to review an organization's response to an individual's request to access his or her own personal information. The number of complaints received in 2011-12 reduced 23% from the previous year and the requests for review by the Commissioner reduced 54%. Some of the reduction in complaints is attributed to a new process adopted by the OIPC that requires individuals to attempt to resolve the complaint directly with the organization prior to submitting a complaint to the OIPC.

The majority of cases opened involved the following industries:

- Other Services (including unions, professional regulatory organizations, condominium corporations, and religious organizations): **26%**
- Retail: **13%**
- Real Estate, Rental, Leasing: **13%**
- Finance: **8%**
- Professional, Scientific & Technical: **7%**
- Insurance: **7%**

The most common types of complaints against organizations received by the Commissioner:

- The over collection of personal information during a consumer transaction and the lack of information made available to individuals about organizations' reasons for collecting their personal information.
- The marketing practices of organizations and the inability of individuals to easily refuse marketing.
- Employment related complaints, including:
  - Inappropriate sharing of information between colleagues;
  - Video surveillance in the workplace;
  - Organizations giving bad references for former employees;
  - Employers collecting too much medical information of employees, and sharing this information in the workplace; and
  - Employees not being satisfied with the responses they have received when seeking to access to their personal information held by their employers.

Two cases were opened on the Commissioner's own motion in 2011-12, which is the same number as the previous year. *PIPA* staff responded to 2,120 telephone, email and written enquiries from individuals and organizations in 2011-12, which represents a decrease of 11% from the previous year. A total of 312 cases were closed in 2011-12, an increase of 15% over the previous year. Of these cases, 227 had the potential to be decided at Inquiry; instead, 209 (92%) were resolved through the more informal mediation/investigation process.

Breach Notification Decisions

There was a significant increase in breach cases opened under *PIPA* as a result of the requirement for organizations to report a breach, which began in May 2010. Ninety-four (94) breaches were reported in 2011-12, resulting in a 92% increase in the number of breach cases reported over 2010-2011.

Section 37.1 of *PIPA* authorizes the Commissioner to require an organization to notify individuals to whom there is a real risk of significant harm as a result of a breach. The Commissioner issued 45 decisions requiring organizations to notify individuals under section 37.1 during 2011-12.

The top causes of breaches reported are as a result of:

- Human error – documents containing personal information mailed or delivered to the wrong recipient, inappropriate disposal of personal information, email containing personal information sent to the wrong person, faxes with personal information sent to the wrong fax number or an unsecure fax machine, and inappropriate disclosure of login IDs and passwords.
- Criminal activity – office and car break-ins where personal information, including computers and paper records, were stolen.
- Electronic systems compromise caused by network attacks.
- Failure to control access to information in paper and electronic files.

The following is a summary of a few of the breach notification decisions issued by the Commissioner in 2011-12. All the Commissioner's notification decisions are located on the OIPC's website.

BEST BUY CANADA LTD. – P2011-ND-011 AND AIR MILES REWARD PROGRAM – P2011-ND-012

In each of these cases, a third party marketing provider experienced unauthorized access to its system, login and password credentials for a single email application administrator, resulting in the downloading of client lists to a FTP site. The personal information breached in these cases was full names and email addresses. In each case, 50 million individuals were affected by the breach. The Commissioner required notification in both cases after determining a real risk of significant harm to the affected individuals existed as a result of the breach. The factors considered by the Commissioner in reaching this decision were the magnitude of the breach, the large number of individuals affected, the sophistication of attack, the fact that the third party was targeted for nefarious purposes, and a likelihood that the affected individuals would be subject to phishing.

H & R BLOCK – P2011-ND-013

In this case, client letters were mailed to clients who had a change of address in the past year. The letters were addressed to the correct individuals, but with incorrect addresses. The personal information breached was names, addresses, Social Insurance Numbers, and Canada Revenue Agency income assessment information. Fifty-eight (58) individuals were affected by this breach. The Commissioner required notification in this case after determining a real risk of significant harm to the affected individuals existed as a result of the breach. The factors considered by the Commissioner in reaching this decision were that the information was highly sensitive and could be used to commit identity theft. As well, some of the letters were not returned.

LEXAND ELECTRIC LTD. – P2011-ND-014

In this case, an employee vehicle was broken into and a hard drive was stolen from the vehicle. The hard drive was not encrypted or password protected. The personal information breached was full names, addresses, phone numbers, dates of birth, Social Insurance Numbers, income, and driver's licence numbers of some current and former employees. Seventy-one (71) individuals were affected by this breach. The Commissioner required notification in this case after determining a real risk of significant harm to the affected individuals existed as a result of the breach. The factors considered by the Commissioner in reaching this decision were that the information was highly sensitive and could be used to commit identity theft. As well, the information could be used for nefarious purposes.

ADRENALIN AUDIO – P2011-ND-019

In this case, two individuals were found by Edmonton Police Services to be in possession of two credit applications of Adrenalin Audio customers. It was discovered that these individuals acquired the credit applications from a dumpster behind Adrenalin Audio.

The personal information breached was names, dates of birth, Social Insurance Numbers, addresses, occupations, income and net worth, and bank account numbers. Approximately 150 individuals were affected by this breach. The Commissioner required notification in this case after determining a real risk of significant harm to the affected individuals existed as a result of the breach. The factors considered by the Commissioner in reaching this decision were that the information was highly sensitive and could be used to commit identity theft. As well, the information was recovered from individuals arrested by police.

TRAVERS FOOD SERVICES LTD. – P2011-ND-041

In this case, a security scan discovered that the network share folders of Travers Food Services Ltd. held data about credit card transactions that had occurred that day. The folders could be located and accessed by users of the network and Internet, although hidden on the network. The personal information breached was name, credit card number, expiry date, authorization code, and authorized amount. Between 200 and 300 individuals were affected by this breach. The Commissioner required notification in this case after determining a real risk of significant harm to the affected individuals existed as a result of the breach. The factors considered by the Commissioner in reaching this decision were that the type of information was highly sensitive and could be used to commit credit card fraud. As well, the information was available to the general public on the Internet.

GICDIRECT.COM FINANCIAL SERVICES LTD. – P2011-ND-036

In this case, an employee saved unencrypted client personal information onto a USB memory stick to do work at home. The employee subsequently lost the memory stick. The personal information breached was names, addresses, Social Insurance Numbers, dates of birth, and financial information of customers. Twenty-three (23) individuals were affected by this breach. The Commissioner required notification in this case after determining a real risk of significant harm to the affected individuals existed as a result of the breach. The factors considered by the Commissioner in reaching this decision were that the information was highly sensitive and could be used to commit identity theft. As well, the memory stick was not recovered.

CEDA INTERNATIONAL CORPORATION – P2012-ND-07

In this case, documents containing personal information of current and former employees were accessible to all employees on a network drive. The personal information breached was dates of birth, driver's licence numbers, resumes, exit interviews, disciplinary letters, performance assessments, a list of terminated employees, employee termination letters, employee incident reports, drug test results, letters to employees regarding substance abuse, and information regarding workplace incidents and those involved in the incident. Approximately 50 individuals were affected by this breach. The Commissioner required notification in this case after determining a real risk of significant harm to the affected individuals existed as a result of the breach. The factors considered by the Commissioner in reaching this decision were that the information was highly sensitive and could be used to commit identity theft, as well as cause humiliation and harm to the reputation of the individuals affected by the breach. Also, CEDA International Corporation had no way to determine what, if any, of the information had been accessed and by whom, given there was no ability to audit access.

EMPIRE LIFE – P2012-ND-06

In this case, due to human error, tax details were printed two to a page or three to a page and mailed to the individual whose name appeared first. The personal information breached was names, addresses, Social Insurance Numbers, and income. Over 7,000 individuals were affected by this breach. The Commissioner required notification in this case after determining a real risk of significant harm to the affected individuals existed as a result of the breach. The factors considered by the Commissioner in reaching this decision were that the information was highly sensitive and could be used to commit identity theft. The information could also be used to cause damage to reputation and humiliation to the individuals affected. As well, a substantial amount of misdirected information was not returned or destroyed.

Case Summaries

The OIPC published one *PIPA* Case Summary in 2011-12. A summary is provided below. Case summaries are posted on the OIPC website when they have educational value for other organizations.

THE LAW SOCIETY OF ALBERTA DID NOT CONTRAVENE *PIPA* WHEN IT DISCLOSED A MEMBER'S PERSONAL INFORMATION IN A NOTICE OF SUSPENSION – P2011-CS-002

The Complainant was a lawyer whose membership with the Law Society of Alberta had been suspended. The Complainant alleged the Law Society contravened *PIPA* when it published the Complainant's Notice of Suspension online. The Notice of Suspension disclosed the Complainant's name and information about the date of the disciplinary hearing, the citations of which the Complainant had been found guilty, the location of the Complainant's practice, and the fines and costs to be paid by the Complainant.

The findings of the investigation into this complaint were that the Law Society is an organization that is subject to *PIPA* and that *PIPA* authorized the disclosure by the Law Society in accordance with section 20(b) of *PIPA* and section 85 of the *Legal Professions Act*. Section 20(b) of *PIPA* allows disclosure of personal information without consent where it is authorized or required by a statute or regulation of Alberta. Section 85 of the *Legal Professions Act* requires the Law Society to distribute a Notice of Suspension widely throughout the legal profession. As a result of the authority under section 20(b) of *PIPA* and the requirement under section 85 of the *Legal Professions Act*, it was found that the Law Society did not require the Complainant's consent to disclose his Notice of Suspension. As well, it was found that the disclosure met the reasonable and limited disclosure requirements of *PIPA*.

Other Activities

In 2011-12, the OIPC developed a three-year *PIPA* Education Plan focusing on the educational needs of private sector organizations and individuals. The purpose of the Plan is to increase the understanding of private sector organizations' awareness about their obligations under *PIPA* and to better inform Albertans about the risks to their personal information and the rights afforded to them under *PIPA*.

Although *PIPA* has been in place since 2004, many organizations have not met basic compliance requirements. Numerous organizations in the Province do not know their obligations under *PIPA*. Also, many Albertans are not aware of the risks posed to their personal information due to the increased use of personal information in the marketplace, the increased use of technology associated with personal information, and the marketability, which includes a criminal element, of personal information. Individuals need to be educated on these risks in order to make informed decisions about sharing their personal information. Albertans also need to be better educated on their rights under *PIPA* in order to hold organizations accountable for the protection of their personal information.

The Plan identifies the following three goals:

1. Increase individuals' awareness about the purpose of *PIPA*: The rights of individuals balanced against the reasonable needs of organizations with respect to personal information.
2. Assist organizations in understanding their responsibilities under *PIPA* and the role of the Information and Privacy Commissioner's Office in overseeing compliance and enforcement.
3. Provide individuals and organizations with opportunities to comment on the administration of *PIPA*.

The Plan sets out objectives under each goal and identifies a methodology for delivery. Built into the Plan is an evergreen process to ensure the Plan is reviewed and updated on an annual basis and *PIPA* educational goals are met. Implementation activities will begin in 2012-13.

In 2011-12, in addition to development of the Education Plan, the following initiatives were undertaken to increase *PIPA* awareness and facilitate compliance.

Development of publications:

- "How to File a Concern with an Organization" was developed to assist individuals resolve concerns regarding compliance with *PIPA* directly with organizations.
- "Guidelines for Social Media Background Checks" was developed in collaboration with the Office of the Information and Privacy Commissioner for British Columbia to provide guidance to organizations on the practice of using social media to perform background checks on potential employees.
- "Guidelines on Energy Disconnection Practices" was developed to assist organizations operating in the energy sector to understand the requirements under *PIPA* when the organizations collect, use and disclose personal information for the purposes of reconnecting utilities.

Co-hosted the 6th Annual *PIPA* Conference

The conference held in Vancouver this year was attended by 219 delegates from several industries across the private sector. Over the years the conference has gained national and international attention. The goal of the conference is to provide practical advice to businesses on how to comply with *PIPA* as well as to provide information on emerging privacy issues.

Highlights of the 2011 Conference included keynote speakers:

- Marc Rotenberg who spoke on Emerging Privacy Issues, including technology such as the iPhone, airport body scanners and the US Federal Trade Commissioner Google settlement;
- Joe Alhadeff, Marty Abrams, Terry McQuay and Collin Bennett who discussed what it means for an organization to be accountable; and
- Michelle Dennedy, Chief Privacy Officer of McAfee Inc., who spoke on The Future of Privacy: Tackling the Two-Headed Hydra.

Concurrent sessions included:

- Practical Perspectives on Outsourcing and Outsourcers;
- Employee Privacy;
- Privacy Implications on the Anti-Counterfeiting Trade Agreement;
- An Overview of Orders and Court Decisions in British Columbia, Alberta and Canada;
- Reasonable Security: A Self-Assessment Tool;
- A Tale of Two Riots: Vancouver and London;
- Maintaining Privacy Controls in Cloud Computing;
- Addressing Breach Notification Across Jurisdictions;
- Discovery and Delight in Big Data;
- New Standards for Reporting on Privacy for Outsourced Operations;
- Social Networking: Guidelines from the OIPC;
- Social Media in the Workplace;
- Managing Employee Information; and
- Canada's Anti-Spam Law.

Collaborated with Other Jurisdictions

In 2011-12, the OIPC, the Office of the Privacy Commissioner of Canada and the Office of the Information and Privacy Commissioner for British Columbia renewed a Memorandum of Understanding wherein the three jurisdictions agree to:

- Collaborate and cooperate to leverage and maximize capacity and impact in oversight activities and reduce overlap and inefficiencies;
- Increase knowledge sharing and enhance relationships to ensure a consistent, coordinated, efficient and harmonized oversight of private sector privacy in Canada; and
- Carry out joint instructions of the Commissioners.

This collaboration has, over the years, resulted in the development of strategies to engage in joint investigations and enforcement, the development of several publications to educate private sector organizations, and strengthened relationships among the Offices and private sector businesses that engage with all three Offices.

Delivered Presentations and Participated In Conversations about *PIPA* Compliance

In addition, *PIPA* presentations were provided to numerous industry associations and conferences, including the Canadian Bar Association, religious associations, and information technology associations. Workshops were also provided on various topics as well as interviews through the news media.

SUMMARY OF SIGNIFICANT DECISIONS

Summary of Function

The Adjudication Unit is composed of adjudicators who exercise powers delegated from the Commissioner to conduct inquiries and issue orders under the *Freedom of Information and Protection of Privacy Act*, the *Personal Information Protection Act*, and the *Health Information Act*.

Alberta Children and Youth Services ordered to disclose information of people involved in an official capacity in providing custodial care to the Applicant during her childhood – Order F2010-028, May 2011

An Applicant requested information from Alberta Children and Youth Services (ACYS) for the time she had been in the custodial care of ACYS as a child. In responding to the access request, ACYS provided some records, but severed third-party personal information of various individuals including the Applicant's foster parents, teachers, and other individuals acting in their official capacities. The Adjudicator found that the ACYS ought to have disclosed the personal information of the Applicant's foster parents and any other individuals acting in their official capacities, because the disclosure of this information would not be an unreasonable invasion of those third parties' personal privacy.

Commissioner ordered law firm to abide by the Office's Solicitor-Client Privilege Adjudication Protocol with respect to records for which the firm was claiming solicitor-client privilege in an access request – Decision P2011-D-003, June 2011

Two Applicants asked a law firm for their personal information that had been contained in a client file created by the law firm in the course of representing a client who was opposed in interest to one of the Applicants during legal proceedings. The law firm withheld all responsive records, relying on solicitor-client privilege.

The law firm, and the Law Society of Alberta as Intervenor, argued that the Commissioner should not conduct an inquiry, relying on section 4(5) of the *Personal Information Protection Act (PIPA)* (the Act is not to be applied so as to affect any legal privilege, or to limit information available by law to a party to a legal proceeding), as well as on the decision of the Supreme Court of Canada in *Canada (Privacy Commissioner) v. Blood Tribe Department of Health*, [2008] S.C.J. No. 45. As well, they took the position that the Commissioner does not have the power to order the production of records to him for the purpose of determining the solicitor-client privilege claim.

The former Commissioner found that he had the jurisdiction and the obligation to review the law firm's responses to the Applicants, including its responses relative to records over which it was claiming solicitor-client privilege. He also concluded that the provisions of the *PIPA*, which give him power to require production of records for his own review "notwithstanding any privilege of the law of evidence", permit him to require production of solicitor-client privileged records. However, he recognized that this must be done, in accordance with the substantive rule of confidentiality of solicitor-client communications that had been laid down by the Supreme Court of Canada, only in circumstances in which this is absolutely essential for him to perform his statutory duty, and only to the extent absolutely necessary.

The Commissioner ordered the law firm to respond in accordance with the Protocol for any records over which it was claiming solicitor-client privilege, and to provide for his review any records responsive or potentially responsive to the requests for which it was not claiming solicitor-client privilege.

The law firm has applied for judicial review of this Decision.

Alberta Health Services ordered to stop collecting, using, and disclosing health information of its employee – obtained when the employee attended addictions counseling – for the purpose of conducting a human resources investigation in relation to the employee – Order H2011-001, July 2011

When an employee of Alberta Health Services (AHS) attended addiction counseling, the counselor provided the information she obtained from him to the human resources department of AHS. AHS then used the information from the counseling session to conduct a human resources investigation relative to the employee. AHS also disclosed the information to a professional body of which the employee is a member.

The Adjudicator hearing the employee's complaint determined the *Health Information Act* (*HIA*) authorizes use of the health information of the patients of a health service provider (in this case the employee) for the purpose of investigating the health service provider's conduct, but does not authorize use of the health service provider's own health information (in this case, the addictions counseling information) for that purpose. Accordingly, she held that AHS had contravened the *HIA* in collecting the health information for an unauthorized purpose. The Adjudicator also found that the addictions counselor's collection of the employee's health information, in part, for the purpose a human resources investigation, contravened the *HIA*. The AHS's disclosure of the findings of its human resources investigation to the complaints officer of the employee's professional body also contravened the *HIA*.

In arriving at her decision, the Adjudicator rejected the approach taken in Investigation Reports H2009-IR-003 and F2009-IR-001, which had adopted the view that the reasons a custodian that is also a public body has for dealing with health information determine whether the *Freedom of Information and Protection of Privacy Act* or the *HIA* applies.

EPS ordered to give an individual access to a video recording of his polygraph examination – Order F2010-017, July 2011

An individual was accused of a crime but no charges were laid. He asked the Edmonton Police Service (EPS) for a video recording of his polygraph interview and examination. The EPS withheld the video recording on the basis that its disclosure could reasonably be expected to harm the effectiveness of investigative techniques and procedures used in polygraph examinations. The Adjudicator found that there would be no such harm on disclosure, as the video recording did not consist of any clear information about the strategies used by the polygraph examiner. The Adjudicator ordered the EPS to give the individual access to the video recording, but with the names of the individual's accuser and her family members severed from it.

County of Thorhild No. 7 ordered to recalculate an estimate of fees by estimating the actual time it was likely to take to process the request and to use rates reflective of its actual costs – Order F2011-015, November 2011

In response to an access request, the County of Thorhild No. 7 (the Public Body), identified 134 pages of responsive records and estimated the fees for providing services under the *Freedom of Information and Protection of Privacy Act* (the *FOIP Act*) to be $182. The Public Body estimated that it would take 2 minutes per page to sever information from the records at a rate of $27 per hour. The basis of this estimate was *FOIP Bulletin Number 1*, published by Service Alberta. The Public Body also estimated that the cost for photocopying would be 25 cents per page, based on the maximums set out in the *Freedom of Information and Protection of Privacy Regulation* (the *Regulation*).

The Adjudicator noted that the *FOIP Act* prohibits public bodies from charging more than their actual costs for providing services. She found that a public body cannot charge the maximum amounts set out in Schedule 2 of the *Regulation* without evidence that these amounts reflect the public body's actual costs. Finally, she noted that the *Regulation* prohibits public bodies from charging fees for reviewing records. She found that the Public Body had not established that it could reasonably be expected to take two minutes per page to sever information from the records, unless it was also including in this calculation the time spent reviewing the record, which the *Regulation* prohibits. She also found that the Public Body had not established that the rates it had charged for searching and preparing documents or for making photocopies were reasonably likely to reflect its actual costs of providing the services.

She ordered the Public Body to recalculate the estimate by including in its calculation the actual time it would be likely to take to sever information from the records and to estimate its rates for photocopying and preparing records based on actual costs, rather than the maximum amounts that may be charged under Schedule 2 of the *Regulation*.

Calgary Board of Education not entitled to use personal information in its possession related to a harassment proceeding against a former employee in the context of a subsequent unrelated Board of Reference proceeding in which the former employee was giving evidence – Order F2009-048, December 2011

The Complainant was a former Calgary Board of Education (CBE) employee. In 2003, while the Complainant was employed with the CBE, he was the subject of harassment allegations, which were resolved.

In 2007, the Complainant gave evidence as a witness in a Board of Reference (Board) proceeding, initiated by a teacher employed with the CBE. This 2007 Board proceeding was unrelated to the allegations that had been made against the Complainant in 2003. As part of its cross-examination of the Complainant in the 2007 Board proceedings, the CBE sought to introduce documents related to the allegations that had been made against the Complainant in 2003.

The CBE argued that its use and disclosure of the Complainant's personal information for the purposes of the Board proceeding was not covered by the *FOIP Act* by virtue of section 3(c) of that Act, which says that the *FOIP Act* "does not limit the information otherwise available by law to a party to legal proceedings". The Adjudicator found that for information to be "available by law" pursuant to section 3(c) of the *FOIP Act*, there must be a statutory or common law process *that makes the information available to a party to a proceeding*. Personal information in the possession of a public body that may have some relevance to a proceeding is not "available by law" to the public body simply by virtue of the fact that the public body is a party in the proceeding and happens to have the information in its possession.

The Adjudicator found that the *FOIP Act* applied so as to govern the issue of whether the CBE's use and disclosure of the Complainant's personal information when it provided the information to the Board was authorized by the Act, and found that it had not been.

The CBE has applied for judicial review of this Order.

School Board authorized to tell police that it was having a meeting with a disgruntled employee in order to avert or minimize an imminent danger to the safety of other employees – Order F2012-01, January 2012

An individual complained that the Holy Family Catholic Regional Division No. 37 (the School Board) contravened the *FOIP Act* when it told the RCMP that he was a disgruntled employee and was meeting with the School Board that day. The meeting was intended to discuss the individual's employment, which included the possibility of calling for his resignation.

The Adjudicator found that the School Board had the authority to make the disclosure to the police on the basis that its head believed, on reasonable grounds, that the disclosure would avert or minimize an imminent danger to the safety of other employees. The individual's prior behaviour and correspondence had shown that he was very angry with the School Board as his employer, and was having difficulty coping with the situation emotionally. The Adjudicator noted that public bodies should be given some latitude in their determination of whether there is an imminent danger. When balancing the privacy of an individual against the health or safety of others, it is appropriate to err on the side of protecting health and safety.

The individual has applied for judicial review of this Order.

JUDICIAL REVIEWS AND OTHER COURT DECISIONS

Legal Services

The Legal Services unit of the Office of the Information and Privacy Commissioner conducts legal research and provides legal advice to the Commissioner and the Commissioner's office. The Legal Services unit also provides services concerning representations made by the Commissioner in judicial reviews of the Commissioner's decisions.

EDMONTON (CITY) v. ALBERTA (INFORMATION AND PRIVACY COMMISSIONER) – 2011 ABQB 226 – Judicial Review of Order F2009-019 and Order F2009-020

The Applicant made an access request under the *Freedom of Information and Protection of Privacy Act* (the *FOIP Act*) to the City of Edmonton (the Public Body) in order to determine the source of information about her plans to build a new house and details about her building permit that appeared in a newsletter. Upon receiving the Public Body's response, the Applicant requested a review, in particular about whether the Public Body had conducted an adequate search for responsive records.

The Applicant also made a complaint that the Public Body had disclosed her personal information, contrary to Part 2 of the *FOIP Act*, when it showed drawings for her future home to her neighbor at a meeting and disclosed information about her house plans to the neighbour in response to an access request made by the neighbor under the *FOIP Act*.

In an inquiry under the *FOIP Act*, the Adjudicator with the Commissioner's office found that the Public Body had not conducted an adequate search for responsive records.

The Adjudicator also found that the Public Body had disclosed the Applicant's personal information in two ways: by showing drawings of her house to a neighbor at a meeting, and when it responded to an access request. The Adjudicator held that disclosure of drawings at the meeting contravened Part 2 of the *FOIP Act*; however, the disclosure in response to the access request was done in accordance with Part 2.

The Adjudicator ordered the Public Body to conduct an adequate search for responsive records and to respond to the Applicant openly, accurately and completely, as required by section 10 of the *FOIP Act* (duty to assist). The Adjudicator also ordered the Public Body to stop disclosing the Applicant's personal information contrary to Part 2 of the *FOIP Act* (Order F2009-019 and Order F2009-020).

On judicial review of Order F2009-019 and Order F2009-020, the Court of Queen's Bench of Alberta set aside the orders as being both incorrect and unreasonable, and directed the Commissioner's office to reconsider and determine (1) whether the subdivision and development appeal board was a public body under the *FOIP Act*; (2) if personal information was disclosed when the construction drawings were shown to the neighbor; and (3) if personal information was disclosed in the construction drawings, whether this disclosure was contrary to Part 2 of the *FOIP Act*.

EDMONTON POLICE COMMISSION v. ALBERTA (INFORMATION AND PRIVACY COMMISSIONER) – 2011 ABQB 291 – Judicial Review of Order F2008-021

The Applicant made an access request under the *FOIP Act* to the Edmonton Police Commission (the Public Body) for records relating to dismissals of complaints against police officers under section 43(11) of the *Police Act*. The Public Body withheld information under sections 17 (unreasonable invasion of a third party's personal privacy), 20 (harm to law enforcement), 24 (advice from officials) and 27 (privileged information) of the *FOIP Act*. The Applicant requested a review of the Public Body's decision to withhold records.

In an inquiry under the *FOIP Act*, the Adjudicator determined that it would be an unreasonable invasion of privacy of third parties to disclose information about them such as names and other information that would serve to identify them. However, the Adjudicator decided that disclosure of opinions and views, withheld by the Public Body as personal information, would, in this case, illustrate the circumstances under which complaints of police conduct had been dismissed under section 43(11), that disclosure would therefore be desirable for the purpose of subjecting the matter to public scrutiny, and that this public interest outweighed the privacy interests of third parties.

The Adjudicator ordered the Public Body to sever from the records information that could identify individuals, and to release the remainder of the records, other than some information to which section 24(1)(a) applied. The Adjudicator also required the Public Body to reconsider how it had exercised its discretion to withhold certain information under section 27(1)(b) (Order F2008-021).

On judicial review of Order F2008-021, the parties argued procedural unfairness, on the ground that the Adjudicator did not provide the affected parties with copies of the records at issue. The Public Body also argued that much of the information in the records it provided to the inquiry was "out of scope".

The Court of Queen's Bench held that the Public Body was required to comply with the provisions of section 30 of the *FOIP Act* and notify the affected parties. The Commissioner's office's proceeding with the inquiry without ensuring that the Public Body complied with section 30 was unfair to the affected parties. Therefore, the Court quashed Order F2008-021 and directed the Commissioner's office to order the Public Body to comply with section 30(4) of the *FOIP Act* and then to conduct a new inquiry, which was to include deciding whether certain records were out of scope.

UNITED FOOD AND COMMERCIAL WORKERS, LOCAL 401 v. ALBERTA (INFORMATION AND PRIVACY COMMISSIONER) – 2011 ABQB 415 – Judicial Review of Order P2008-008

The United Food and Commercial Workers, Local 401 (the Union) videotaped individuals in the vicinity of and crossing its picket line, and suggested that it would post images of those individuals on the Internet. Several individuals complained to the Commissioner's office that the Union was violating their privacy rights under the *Personal Information Protection Act* (*PIPA*).

In an inquiry under *PIPA*, the Adjudicator found that the Union's collection, use and disclosure of personal information was not excluded from *PIPA* under the "journalistic purpose and for no other purpose" exclusion (section 4(3)(c) of *PIPA*). The Adjudicator held that the Union's collection, use and disclosure was authorized under *PIPA* only to the extent that it was done for the purpose of a possible investigation or legal proceeding that might arise from incidents related to the picketing (sections 14(d), 17(d), 20(f) and 20(m) of *PIPA*), but was not authorized for its other purposes, which required consent. Since the individuals whose images had been recorded had not consented, the Adjudicator held that the Union's collection, use and disclosure of the personal information for those other purposes contravened *PIPA* (Order P2008-008).

On judicial review of Order P2008-008, the Court of Queen's Bench granted the Union a declaration that the phrase "and for no other purpose" in section 4(3)(c) of *PIPA* violated the Union's freedom of expression protected under section 2(b) of the *Canadian Charter of Rights and Freedoms* (the *Charter*), that this violation was not demonstrably justified under section 1 of the *Charter*, and that that portion of section 4(3)(c) was of no force or effect.

The Court also issued a declaration that section 7 of the *PIPA Regulation* (which defines personal information that is "publicly available") was in violation of the freedom of expression protection under section 2(b) of the *Charter*, to the extent that it prohibited a trade union from (i) photographing or video-recording a picket line site and surroundings in the course of a lawful strike, including persons at that site or surroundings, and/or (ii) publishing or internet-posting such photographs or video-recordings in publications or websites of that trade union at the time of the strike or subsequently. The Court quashed the Adjudicator's decision to the extent that it relied upon those impugned provisions of *PIPA*, but upheld the Adjudicator's decisions set out in paragraphs 111, 112 and 107-109 of Order P2008-008.

ALBERTA HEALTH SERVICES v. OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER – Oral decision of Hillier, J. issued on September 9, 2011, upholding Order H2010-003 (Court File Number 1103 01171)

The Applicant requested access to his health information under the *Health Information Act* (*HIA*). Alberta Health Services (the Custodian) withheld from the records the names of some of the Applicant's health service providers and some treatment notes, on the basis that disclosing that information could reasonably be expected to threaten the mental or physical health or safety of individuals.

In an inquiry under the *HIA*, the Adjudicator determined that the Custodian had not established that disclosing the health information it had withheld could reasonably be expected to threaten the mental or physical health or safety of individuals, and ordered the Custodian to disclose the records in their entirety (Order H2010-003).

On judicial review of Order H2010-003, the Court of Queen's Bench held that there was sufficient transparency and intelligibility in the Adjudicator's decision, that the Adjudicator's reasons supported the conclusion, and that the order was within the range of possible, acceptable and defensible outcomes. The Court dismissed the Custodian's application for judicial review.

GLEN CARTER v. INFORMATION AND PRIVACY COMMISSIONER – Oral decision of Horner, J. issued on September 9, 2011, upholding the Commissioner's decision to refuse to conduct an inquiry – Court File Number 1001 17312

The Applicant applied to Gowlings (the law firm), for access to his personal information under *PIPA*. The law firm provided information that it was able to locate, but stated that it had no further information. The Applicant asked the Commissioner to review the law firm's decision. Not being satisfied with the review, the Applicant asked for an inquiry.

The Commissioner determined that the only issue for the inquiry was the adequacy of the law firm's search for records. Following the Commissioner's usual practice when that issue is the only issue for the inquiry, the Commissioner asked the law firm to provide a sworn statement about the search it conducted, and then gave the Applicant the opportunity to comment on the statutory declaration that the law firm provided. Based on that evidence, the Commissioner refused to conduct an inquiry.

On judicial review, the Court of Queen's Bench held that the inquiry issue as framed by the Commissioner was reasonable. Although the Applicant chose to state that the law firm's response to the access request was a denial of access, there was no difference in whether the issue was for access to documents denied or adequacy of the search for documents as framed by the Commissioner.

On the facts, the Court was satisfied that the Commissioner's decision that the search for documents was adequate and that no records existed that responded to the Applicant's access request was reasonable, as the decision was intelligible, justifiable, transparent and clearly defensible on the facts. The Court dismissed the application for judicial review and declined to interfere with the Commissioner's decision.

The Court also said that it was eminently reasonable for the Commissioner to ask for a statement under oath about the steps taken to conduct a search for records, which the Court said was not a denial of natural justice, but rather an efficient and inexpensive method of determining whether a threshold search had been conducted.

CLARENCE J. BONSMA v. THE OFFICE OF THE INFORMATION AND PRIVACY COMMISSIONER – Oral decision of Clackson, J. issued on October 6, 2011, quashing the Commissioner's decision to authorize a public body to disregard an access request – Court File Number 1103 05598

Alberta Employment and Immigration (the Public Body) applied to the Commissioner under section 55 of the *FOIP Act* to disregard the Applicant's access request. The Commissioner decided to authorize the Public Body to disregard the request.

On judicial review of the Commissioner's decision, the Court of Queen's Bench quashed the decision. The Court said that if requests are not the same, then the fact that there are numerous requests made regularly cannot run afoul of section 55 in the absence of compelling evidence of ulterior improper motive. That is where the second part of section 55 becomes important. The ulterior motive is what establishes the abuse.

Since the request here was not repetitious, summary dismissal was dependent upon regular and deliberate requests and motivation. On the record, there was no basis to conclude that the Applicant was improperly motivated. Therefore, the Commissioner's conclusion that the Applicant's request was abusive was not reasonable.

ALBERTA (INFORMATION AND PRIVACY COMMISSIONER) v. LEON'S FURNITURE LIMITED – Application for leave to appeal to the Supreme Court of Canada from 2011 ABCA 94 dismissed – 2011 SCC No. 34279, November 24, 2011

ALBERTA (INFORMATION AND PRIVACY COMMISSIONER) v. ALBERTA TEACHERS' ASSOCIATION – 2011 SCC 61 – Appeal of 2010 ABCA 26, which upheld the oral decision of Marshall J. issued on October 9, 2008 – Court File Number 0803 05729, which quashed Order P2007-014

The Court of Queen's Bench quashed Order P2007-014, on the basis that the Commissioner lost jurisdiction when he did not complete an inquiry within 90 of receiving a request for review, as required by section 50(5) of *PIPA*, and did not extend the time within the 90 days. A majority of the Court of Appeal upheld the decision of the Court of Queen's Bench.

On the Commissioner's appeal to the Supreme Court of Canada, the Supreme Court held that although the timeline issue was not raised before the Commissioner or the Adjudicator, the Adjudicator implicitly decided that providing an extension after the 90 days did not automatically terminate the inquiry.

The Supreme Court said that reasons given by a tribunal in other decisions on the same issue could assist a court in determining whether a reasonable basis for an implied decision existed. Other decisions by the Commissioner and the Adjudicator had provided consistent analyses of the similarly-worded section 69(6) of the *FOIP Act*, in which the Commissioner held that the 90-day time limit applies only to his duty to complete an inquiry, and not to extending the time to complete an inquiry. A reasonableness standard applied since the Commissioner was interpreting his own statute and the question was within his specialized expertise. His interpretation of section 69(6) satisfied the values of justification, transparency and intelligibility in administrative decision-making.

In the Supreme Court's view, it was reasonable to assume that the Commissioner's interpretation of section 69(6) were of the reasons of the Adjudicator in this case. The Adjudicator's implied decision was subject to judicial review on a reasonableness standard. It was reasonable for the Adjudicator to apply the Commissioner's interpretation of section 69(6) of the *FOIP Act* to section 50(5) of *PIPA*. Since there existed a reasonable basis for the Adjudicator's implied decision in this case, the Supreme Court of Canada allowed the appeal and reinstated Order P2007-014. On the Commissioner's recommendation, the Supreme Court remitted the matter to the Court of Queen's Bench to consider the issues not previously dealt with and resolved on the judicial review.

OLEYNIK v. UNIVERSITY OF CALGARY – 2012 ABQB 189 – Judicial Review of Order F2009-022

The Applicant made an access request to the University of Calgary (the Public Body) for email communications containing his personal information sent and received by a professor in relation to the Applicant's Social Sciences and Humanities Research Council (SSHRC) grant application. When the Public Body responded to the Applicant, it explained that the professor had not created or received any responsive email communication.

The Applicant requested a review of the Public Body's response on the basis that it had not conducted an adequate search for records. In an inquiry under the *FOIP Act*, an Adjudicator found that the evidence of the Public Body confirmed that records responsive to the access request had never existed. The Adjudicator confirmed that the Public Body had met its duty to assist the Applicant under section 10(1) of the *FOIP Act* (Order F2009-022).

On judicial review of Order F2009-022 brought by the Applicant, the Court of Queen's Bench held that the standard of review for the Adjudicator's decision was reasonableness, and that the Applicant had not established that the Adjudicator's decision was unreasonable.

STATISTICAL INFORMATION

Table 1: Cases Opened 2011-12 Fiscal Year *FOIP, HIA,* and *PIPA*

STATISTICS ARE FROM THE PERIOD APRIL 1, 2011 TO MARCH 31, 2012.

Case Type	*FOIP*	*HIA*	*PIPA*
Advice and Direction	0	1	0
Authorization to Disregard a Request	4	1	0
Complaint	65	17	82
Disclosure in the Public Interest – Section 32 *FOIP*	1	0	0
Engage in or Commission a Study 84(1)(e) *HIA*	0	1	0
Excuse Fees	6	0	2
Investigation Generated by Commissioner	7	15	2
Offense Investigation	1	2	0
Privacy Impact Assessments	22	434	1
Request for Information	34	52	10
Request for Review	205	28	61
Request for Review Third Party	20	0	0
Request Time Extension	36	0	0
Request for Advance Ruling	0	0	1
Self-reported Breach	24	59	94
Total	**425**	**610**	**253**

Please refer to **Appendix A** for a complete listing of the cases opened in the 2011-12 fiscal year.

Note: Only *FOIP* allows a Third Party to request a review of a Public Body's decision to release Third Party information to an applicant.

Table 2: Cases Closed 2011-12 Fiscal Year *FOIP, HIA,* and *PIPA*

STATISTICS ARE FROM THE PERIOD APRIL 1, 2011 TO MARCH 31, 2012

Case Type	*FOIP*	*HIA*	*PIPA*
Advice and Direction	0	1	0
Authorization to Disregard a Request	4	0	1
Complaint	68	26	135
Disclosure in the Public Interest – Section 32 *FOIP*	1	0	0
Engage in or Commission a Study 84(1)(e) *HIA*	0	0	0
Excuse Fees	6	0	2
Investigation Generated by Commissioner	11	14	1
Offense Investigation	1	16	0
Privacy Impact Assessments	24	419	1
Request for Information	41	54	8
Request for Review	159	33	72
Request for Review Third Party	18	0	0
Request Time Extension	41	0	0
Request for Advance Ruling	0	0	1
Self-reported Breach	20	51	91
Total	**394**	**614**	**312**

Please refer to **Appendix D** for a complete listing of the PIAs accepted by the Commissioner in 2011-12. Please refer to **Appendix B** for a listing of cases closed by public body, custodian and organization type.

Graph 1: Total Number of Cases Opened – A Two Year Comparison

STATISTICS ARE FROM THE PERIOD APRIL 1, 2011 TO MARCH 31, 2012

	ADVICE AND DIRECTION	AUTHORIZATION TO DISREGARD A REQUEST	COMPLAINT	DISCLOSURE IN THE PUBLIC INTEREST – SECTION 32 *FOIP*	ENGAGE IN OR COMMISSION A STUDY 84(1)(E) *HIA*	EXCUSE FEES	INVESTIGATION GENERATED BY COMMISSIONER	OFFENSE INVESTIGATION	PRIVACY IMPACT ASSESSMENTS	REQUEST FOR INFORMATION	REQUEST FOR REVIEW	REQUEST FOR REVIEW THIRD PARTY	REQUEST TIME EXTENSION	REQUEST FOR ADVANCE RULING	SELF-REPORTED BREACH	TOTAL
FOIP Cases Opened 2012	0	4	65	1	0	6	7	1	22	34	205	20	36	0	24	**425**
FOIP Cases Opened 2011	2	6	107	0	0	9	14	0	20	43	132	17	31	0	16	**397**
HIA Cases Opened 2012	1	1	17	0	1	0	15	2	434	52	28	0	0	0	59	**610**
HIA Cases Opened 2011	0	0	26	0	0	0	17	17	510	65	31	0	0	0	43	**709**
PIPA Cases Opened 2012	0	0	82	0	0	2	2	0	1	10	61	0	0	1	94	**253**
PIPA Cases Opened 2011	0	1	138	0	0	1	2	0	0	1	73	0	1	0	49	**266**

Graph 2: Total Number of Cases Closed – A Two Year Comparison

STATISTICS ARE FROM THE PERIOD APRIL 1, 2011 TO MARCH 31, 2012

	ADVICE AND DIRECTION	AUTHORIZATION TO DISREGARD A REQUEST	COMPLAINT	DISCLOSURE IN THE PUBLIC INTEREST – SECTION 32 *FOIP*	ENGAGE IN OR COMMISSION A STUDY 84(1)(E) *HIA*	EXCUSE FEES	INVESTIGATION GENERTED BY COMMISSIONER	OFFENSE INVESTIGATION	PRIVACY IMPACT ASSESSMENTS	REQUEST FOR INFORMATION	REQUEST FOR REVIEW	REQUEST FOR REVIEW THIRD PARTY	REQUEST TIME EXTENSION	REQUEST FOR ADVANCE RULING	SELF-REPORTED BREACH	TOTAL
FOIP Cases Closed 2012	0	4	68	1	0	6	11	1	24	41	159	18	41	0	20	**394**
FOIP Cases Closed 2011	2	6	114	0	0	9	11	0	20	41	155	15	27	0	14	**414**
HIA Cases Closed 2012	1	0	26	0	0	0	14	16	419	54	33	0	0	0	51	**614**
HIA Cases Closed 2011	0	0	19	0	0	1	16	1	501	60	27	0	0	0	44	**669**
PIPA Cases Closed 2012	0	1	135	0	0	2	1	0	1	8	72	0	0	1	91	**312**
PIPA Cases Closed 2011	0	1	150	0	0	2	5	1	0	6	67	0	1	0	37	**270**

Table 3: Cases Opened by Public Bodies, Custodians, Organizations Subject to the Legislation, and Commissioner on Own Motion

STATISTICS ARE FROM THE PERIOD APRIL 1, 2011 TO MARCH 31, 2012

	Number of Cases	Percentage
FOIP		
Investigation Generated by Commissioner	7	1%
Public Bodies	122	29%
*Public	296	70%
Total	**425**	**100%**
HIA		
Investigation Generated by Commissioner	15	2%
Custodian	550	90%
*Public	45	8%
Total	**610**	**100%**
PIPA		
Investigation Generated by Commissioner	2	1%
Organization	106	42%
*Public	145	57%
Total	**253**	**100%**

*Includes individuals, media, agents, third party agents, agent applicants, MLAs, companies, others, special interest groups.

Table 4: Percentage of Cases Closed by Resolution Method

STATISTICS ARE FROM THE PERIOD APRIL 1, 2011 TO MARCH 31, 2012

Resolution Method	Number of Cases *(FOIP)*	Number of Cases *(HIA)*	Number of Cases *(PIPA)*	Total	Percentage
Resolved by Mediation/Investigation	187	52	191	430	83%
Resolved by Order	41	4	10	55	11%
Resolved by Commissioner's Decision to Refuse to Conduct an Inquiry	13	3	7	23	4%
Withdrawn During Inquiry Process	6	0	0	6	1%
Discontinued During Inquiry Process	4	0	1	5	1%
Total	**251**	**59**	**209**	**519**	**100%**

***FOIP* Orders:** **41 (41 cases)**

***HIA* Orders:** **4 (4 cases)**

***PIPA* Orders:** **10 (10 cases)**

Notes: Some Orders and/or Report Numbers were assigned to more than one case. Some cases had more than one Order.

Orders are recorded by the date the Order was signed, rather than the date the Order was publicly released.

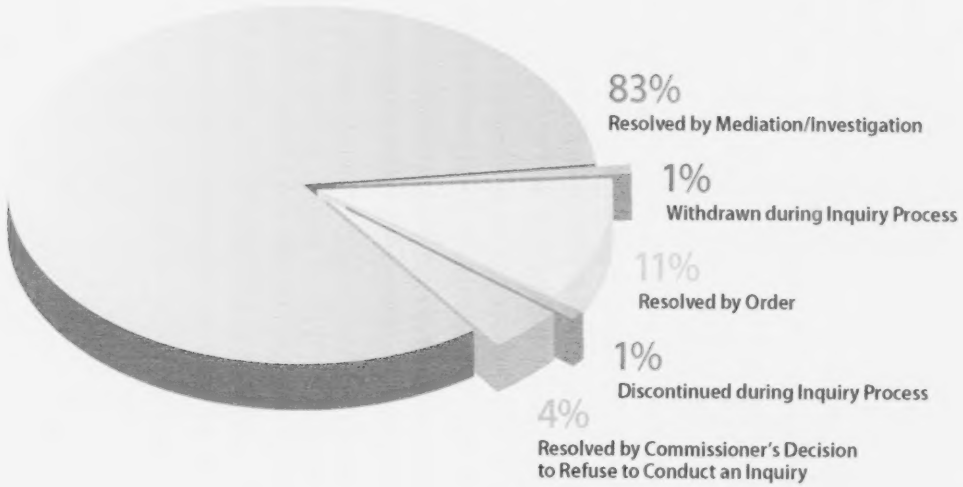
Under the legislation, only certain case types can proceed to inquiry if the matters are not resolved at mediation/investigation. The above statistics are those case types that can proceed to inquiry (Request for Review, Request for Review Third Party, Request to Excuse Fees and Complaint files).

This table only includes Orders issued that concluded/closed the file. See **Appendix C** for a listing of all Orders issued.

Please refer to **Tables 1** and **2** and Appendices **A** and **B** for total cases opened and closed.

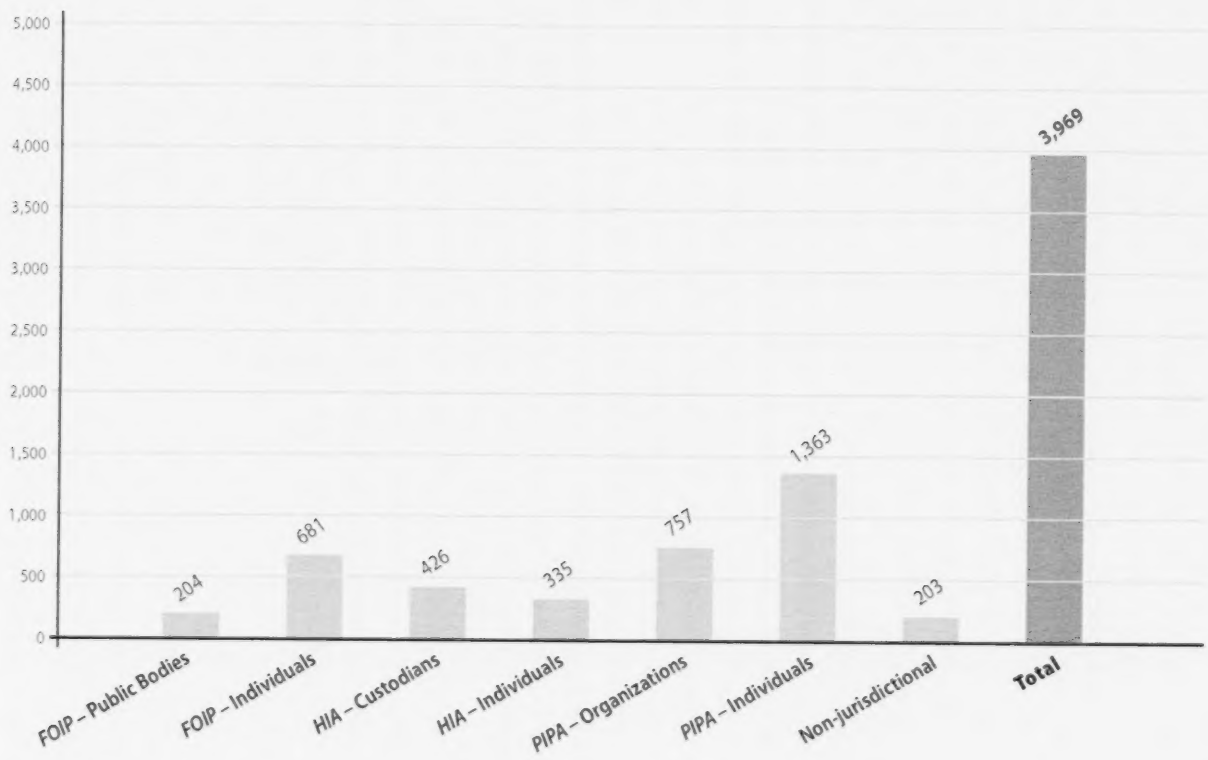
A copy of all Orders and Investigation Reports are available on the Office's web site **www.oipc.ab.ca**.

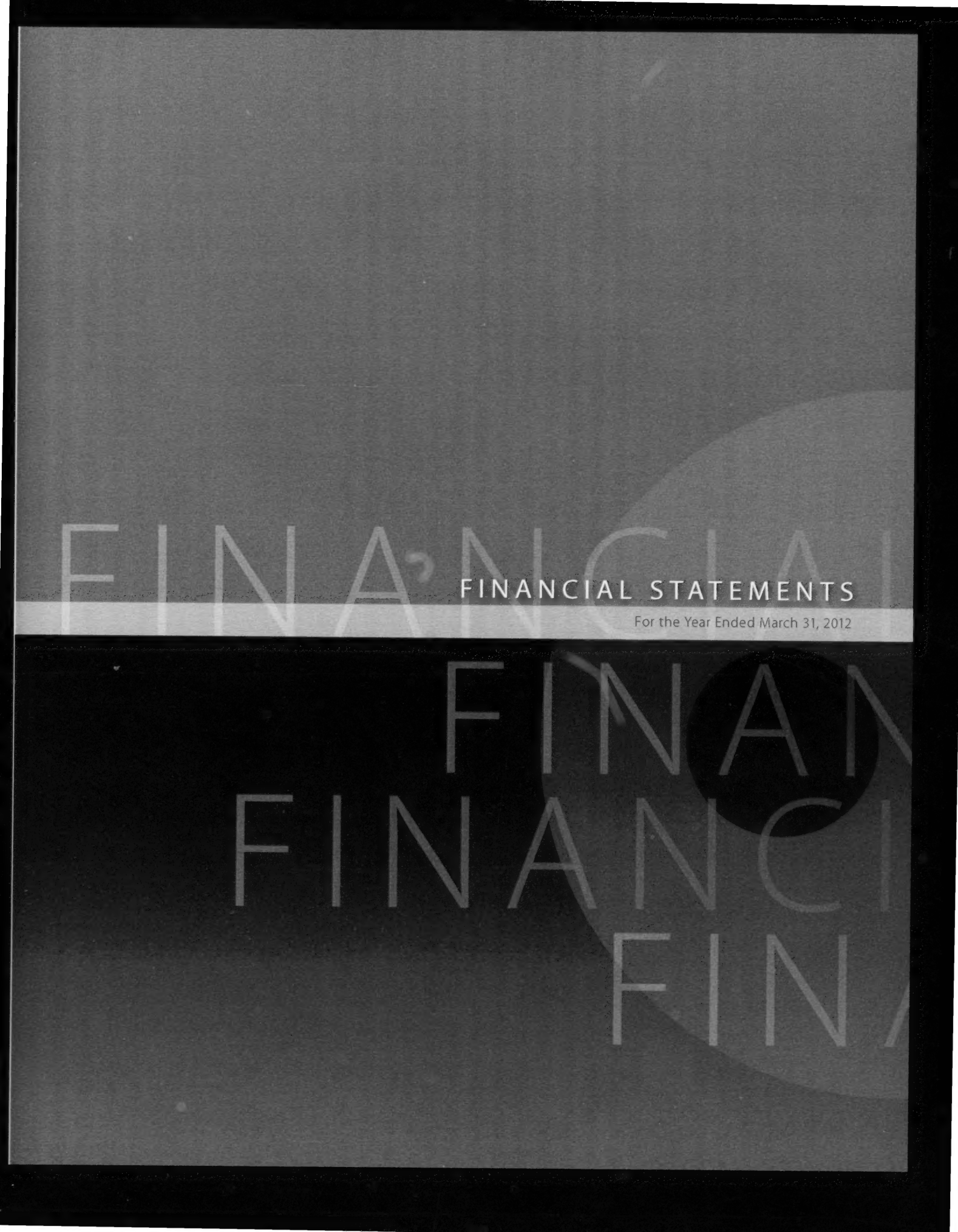
Graph 3: Percentage of Cases Closed by Resolution Method



Graph 4: *FOIP, HIA, PIPA* and Non-case Related Telephone Calls, Emails, and Written Enquiries

STATISTICS ARE FROM THE PERIOD APRIL 1, 2011 TO MARCH 31, 2012




FINANCIAL STATEMENTS
For the Year Ended March 31, 2012

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INDEPENDENT AUDITOR'S REPORT

To the Members of the Legislative Assembly

Report on the Financial Statements

I have audited the accompanying financial statements of the Office of the Information and Privacy Commissioner, which comprise the statement of financial position as at March 31, 2012, and the statements of operations and cash flows for the year then ended, and a summary of significant accounting policies and other explanatory information.

Management's Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with Canadian public sector accounting standards, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor's Responsibility

My responsibility is to express an opinion on these financial statements based on my audit. I conducted my audits in accordance with Canadian generally accepted auditing standards. Those standards require that I comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on the auditor's judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, the auditor considers internal control relevant to the entity's preparation and fair presentation of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the entity's internal control. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

I believe that the audit evidence I have obtained is sufficient and appropriate to provide a basis for my audit opinion.

Opinion

In my opinion, the financial statements present fairly, in all material respects, the financial position of the Office of the Information and Privacy Commissioner as at March 31, 2012, and the results of its operations and its cash flows for the year then ended in accordance with Canadian public sector accounting standards.

[Original signed by Merwan N. Saher, FCA]

Auditor General

June 8, 2012

Edmonton, Alberta

Office of the Information and Privacy Commissioner
Statement of Operations
Year ended March 31, 2012

	2012		2011
	Budget	Actual	Actual
Revenues			
Prior Year Expenditure Refund	$ -	$ 1,431	$ 11
Other Revenue	-	631	631
	-	2,062	642
Expenses – Directly Incurred (Note 3b)			
Voted			
Salaries, Wages, and Employee Benefits	$ 4,491,000	$ 4,460,314	$ 4,429,295
Supplies and Services	1,178,000	1,064,515	994,313
	5,669,000	5,524,829	5,423,608
Amounts Not Required to be Voted			
Amortization of Tangible Capital Assets	32,000	47,131	36,501
Total Expenses	5,701,000	5,571,960	5,460,109
Net Operating Results	$ (5,701,000)	$ (5,569,898)	$ (5,459,467)

The accompanying notes and schedules are part of these financial statements.

Office of the Information and Privacy Commissioner
Statement of Financial Position
As at March 31, 2012

	2012	2011
Assets		
Cash	$ 100	$ 100
Accounts Receivable	45	1,405
Prepaid Expenses	7,510	4,061
Tangible Capital Assets (Note 4)	217,053	185,773
	$ 224,708	$ 191,339
Liabilities		
Accounts Payable and Accrued Liabilities	$ 120,429	$ 339,274
Accrued Vacation Pay	408,129	394,214
	528,558	733,488
Net Liabilities		
Net Liabilities at Beginning of Year	(542,149)	(583,208)
Net Operating Results	(5,569,898)	(5,459,467)
Net Financing Provided from General Revenues	5,808,197	5,500,526
	(303,850)	(542,149)
	$ 224,708	$ 191,339

The accompanying notes and schedules are part of these financial statements.

Office of the Information and Privacy Commissioner
Statement of Cash Flows
Year ended March 31, 2012

	2012	2011
Operating Transactions		
Net Operating Results	$ (5,569,898)	$ (5,459,467)
Non-cash Items Included in Net Operating Results		
Amortization of Tangible Capital Assets	47,131	36,501
Loss on Disposal of Tangible Capital Assets	622	6,125
	(5,522,145)	(5,416,841)
(Increase) Decrease in Accounts Receivable	1,360	(82)
Decrease (Increase) in Prepaid Expenses	(3,449)	3,230
Increase (Decrease) in Accounts Payable	(204,930)	7,116
Cash Applied to Operating Transactions	(5,729,164)	(5,406,577)
Capital Transactions		
Acquisition of Tangible Capital Assets	(79,033)	(93,949)
Financing Transactions		
Net Financing Provided From General Revenues	5,808,197	5,500,526
Cash, Beginning of Year	100	100
Cash, End of Year	$ 100	$ 100

The accompanying notes and schedules are part of these financial statements.

Office of the Information and Privacy Commissioner
Notes to the Financial Statements
Year ended March 31, 2012

Note 1 Authority

The Office of the Information and Privacy Commissioner (the Office) operates under the authority of the *Freedom of Information and Protection of Privacy Act*. The net cost of the operations of the Office is borne by the General Revenue Fund of the Province of Alberta. Annual operating budgets are approved by the Standing Committee on Legislative Offices.

Note 2 Purpose

The Office of the Information and Privacy Commissioner provides oversight on the following legislation governing access to information and protection of privacy:

Freedom of Information and Protection of Privacy Act
Health Information Act
Personal Information Protection Act

The major operational purposes of the Office of the Information and Privacy Commissioner are:

- To provide independent reviews of decisions made by public bodies, custodians and organizations under the Acts and the resolution of complaints under the Acts;
- To advocate protection of privacy for Albertans; and
- To promote openness and accountability for public bodies.

Note 3 Summary of Significant Accounting Policies and Reporting Practices

These financial statements are prepared in accordance with Canadian public sector accounting standards.

a) Reporting Entity

The reporting entity is the Office of the Information and Privacy Commissioner (the Office), for which the Information and Privacy Commissioner is responsible.

The Office operates within the General Revenue Fund (the Fund). The Fund is administered by the Minister of Finance. All cash receipts of the Office are deposited into the Fund and all cash disbursements made by the Office are paid from the Fund. Net Financing provided from General Revenues is the difference between all cash receipts and all cash disbursements made.

Note 3 Summary of Significant Accounting Policies and Reporting Practices (continued)

b) Basis of Financial Reporting

Revenues

All revenues are reported on the accrual basis of accounting.

Expenses

Directly Incurred

Directly incurred expenses are those costs the Office has primary responsibility and accountability for, as reflected in the Office's budget documents.

In addition to program operating expenses such as salaries, supplies, etc., directly incurred expenses also include:

- Amortization of tangible capital assets;
- Pension costs, which are the cost of employer contributions for current service of employees during the year; and
- Valuation adjustments which represent the change in management's estimate of future payments arising from obligations relating to vacation pay.

Incurred by Others

Services contributed by other entities in support of the Office's operations are not recognized and are disclosed in Schedule 2.

Assets

Financial assets are assets that could be used to discharge existing liabilities or finance future operations and are not for consumption in the normal course of operations. Financial assets of the Office are limited to financial claims, such as receivables from other organizations.

Tangible capital assets of the Office are recorded at historical cost and are amortized on a straight-line basis over the estimated useful lives of the assets. The threshold for tangible capital assets is $5,000.

Note 3 Summary of Significant Accounting Policies and Reporting Practices (continued)

b) Basis of Financial Reporting (continued)

Liabilities

Liabilities are recorded to the extent that they represent present obligations as a result of events and transactions occurring prior to the end of the fiscal year. The settlement of liabilities will result in sacrifice of economic benefits in the future.

Net Liabilities

Net liabilities represent the difference between the Office's liabilities and the carrying value of its assets.

Canadian public sector accounting standards require a "net debt" presentation for the statement of financial position in the summary financial statements of governments. Net debt presentation reports the difference between financial assets and liabilities as "net debt" or net financial assets" as an indicator of the future revenues required to pay for past transactions and events. The Office operates within the government reporting entity, and does not finance its expenditures by independently raising revenues. Accordingly, these financial statements do not report a net debt indicator.

Valuation of Financial Assets and Liabilities

Fair value is the amount of consideration agreed upon in an arm's length transaction between knowledgeable, willing parties who are under no compulsion to act.

The fair values of cash, accounts receivable, accounts payable and accrued liabilities are estimated to approximate their carrying values because of the short term nature of these instruments.

Office of the Information and Privacy Commissioner
Notes to the Financial Statements
Year ended March 31, 2012

Note 4 Tangible Capital Assets

	Office equipment and furniture	Computer hardware and software	2012 Total	2011 Total
Estimated Useful Life	10 years	3-5 years		
Historical Cost				
Beginning of Year	$ 269,117	$ 266,488	$ 535,605	$ 468,764
Additions	25,532	53,501	79,033	93,949
Disposals, Including Write-Downs	(53,612)	(21,533)	(75,145)	(27,108)
	$ 241,037	$ 298,456	$ 539,493	$ 535,605
Accumulated Amortization				
Beginning of Year	$ 227,767	$ 122,065	$ 349,832	$ 334,314
Amortization Expense	12,974	34,157	47,131	36,501
Effect of Disposals	(52,991)	(21,532)	(74,523)	(20,983)
	$ 187,750	$ 134,690	$ 322,440	$ 349,832
Net Book Value at March 31, 2012	$ 53,287	$ 163,766	$ 217,053	
Net Book Value at March 31, 2011	$ 41,350	$ 144,423		$ 185,773

Note 5 Defined Benefit Plans

The Office participates in the multiemployer Management Employees Pension Plan and Public Service Pension Plan. The Office also participates in the multiemployer Supplementary Retirement Plan for Public Service Managers. The expense for these pension plans is equivalent to the annual contributions of $527,141 for the year ended March 31, 2012 (2011 – $502,295).

Note 5 Defined Benefit Plans (continued)

At December 31, 2011, the Management Employees Pension Plan reported a deficiency of $517,726,000 (2010 – deficiency $397,087,000) and the Public Service Pension Plan reported a deficiency of $1,790,383,000 (2010 – deficiency $2,067,151,000). At December 31, 2011, the Supplementary Retirement Plan for Public Service Managers had a deficiency of $53,489,000 (2010 – deficiency $39,559,000).

The Office also participates in a multiemployer Long Term Disability Income Continuance Plan. At March 31, 2012, the Management, Opted Out and Excluded Plan reported an actuarial surplus of $10,454,000 (2011 – surplus $7,020,000). The expense for this plan is limited to employer's annual contributions for the year.

Note 6 Contractual Obligations

Contractual obligations are obligations of the Office to others that will become liabilities in the future when the terms of contracts or agreements are met.

	2012	2011
Obligations under operating leases and contracts	$ 19,252	$ 56,963

Estimated payment requirements for each of the next three years are as follows:

	Total
2012-13	$ 15,921
2013-14	2,031
2014-15	1,300
	$ 19,252

Office of the Information and Privacy Commissioner
Notes to the Financial Statements
Year ended March 31, 2012

Note 7 Comparative Figures

Certain 2011 figures have been reclassified to conform to the 2012 presentation.

Note 8 Approval of Financial Statements

These financial statements were approved by the Information and Privacy Commissioner.

Schedule 1

Office of the Information and Privacy Commissioner
Salary and Benefits Disclosure
Year ended March 31, 2012

	2012				2011
	Base Salary [a]	Other Cash Benefits [b]	Other Non-cash Benefits [c]	Total	Total
Senior Official					
Information and Privacy Commissioner [d][e]	$ 206,677	$ 40,003	$ 59,729	$ 306,409	$ 303,285

Prepared in accordance with Treasury Board Directive 12/98 as amended.

[a] Base salary includes pensionable base pay.

[b] Other cash benefits include vacation payouts and lump sum payments. There were no bonuses paid in 2012.

[c] Other non-cash benefits include the government's share of all employee benefits and contributions or payments made on behalf of employee, including pension, supplementary retirement plan, health care, dental coverage, group life insurance, short and long term disability plans, professional memberships and tuition fees.

[d] Automobile provided, no dollar amount included in other non-cash benefits.

[e] The position was occupied by two individuals at different times during the year.

Schedule 2

Office of the Information and Privacy Commissioner
Allocated Costs
Year ended March 31, 2012

	2012				2011
		Expenses - Incurred by Others			
Program	Expenses[a]	Accommodation Costs[b]	Telephone Costs[c]	Total Expenses	Total Expenses
Operations	$5,571,960	$ 411,432	$ 14,816	$5,998,208	$5,851,988

[a] Expenses - Directly Incurred as per Statement of Operations.
[b] Costs shown for Accommodation (includes grants in lieu of taxes), allocated by square footage.
[c] Telephone Costs is the line charge for all phone numbers.

APPENDICES

Appendix A: Cases Opened 2011-12 Fiscal Year by Public Body, Custodian and Organization Type

STATISTICS ARE FROM THE PERIOD APRIL 1, 2011 TO MARCH 31, 2012

FOIP Public Body Type	ADVICE AND DIRECTION	AUTHORIZATION TO DISREGARD A REQUEST	COMPLAINT	DISCLOSURE IN THE PUBLIC INTEREST – SECTION 32 *FOIP*	ENGAGE IN OR COMMISSION A STUDY 84(1)(E) *HIA*	EXCUSE FEES	INVESTIGATION GENERTED BY COMMISSIONER	OFFENSE INVESTIGATION	PRIVACY IMPACT ASSESSMENTS	REQUEST FOR INFORMATION	REQUEST FOR REVIEW	REQUEST FOR REVIEW THIRD PARTY	REQUEST TIME EXTENSION	REQUEST FOR ADVANCE RULING	SELF-REPORTED BREACH	TOTAL
Agencies	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**
Boards	0	0	8	0	0	2	2	0	0	0	8	0	2	0	1	**23**
Child and Family Service Authorities	0	0	7	0	0	0	0	0	1	0	4	0	6	0	0	**18**
Colleges	0	0	2	0	0	0	1	0	0	1	3	0	1	0	0	**8**
Commissions	0	0	3	0	0	0	0	0	0	2	3	1	0	0	1	**10**
Committees	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	**2**
Government Ministries/ Departments	0	1	9	0	0	0	1	1	16	22	49	4	20	0	8	**131**
Law Enforcement Agencies	0	0	7	1	0	1	0	0	1	0	33	0	2	0	1	**46**
Legislative Assembly Office	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	**1**
Local Government Bodies	0	0	3	0	0	0	0	0	0	0	0	0	0	0	0	**3**
Municipalities	0	2	11	0	0	1	1	0	0	4	51	10	0	0	0	**80**
Nursing Homes	0	0	1	0	0	0	1	0	0	0	6	1	0	0	0	**9**
Officers of the Legislature	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	**4**
Panels	0	0	0	0	0	0	0	0	0	0	2	0	1	0	0	**3**
Regional Health Authorities (Alberta Health Services)	0	1	3	0	0	2	0	0	0	0	10	1	0	0	2	**19**
Research Ethics Boards	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	**1**
School Districts	0	0	9	0	0	0	0	0	0	1	22	1	0	0	4	**37**
Universities	0	0	2	0	0	0	1	0	2	2	7	1	3	0	5	**23**
*Other Public Bodies	0	0	0	0	0	0	0	0	2	0	3	1	1	0	0	**7**
Total	**0**	**4**	**65**	**1**	**0**	**6**	**7**	**1**	**22**	**34**	**205**	**20**	**36**	**0**	**24**	**425**

* Public Body types identified as "Other" category include: Alberta Innovates – Bio Solutions, Alberta Innovates – Energy and Environment Solutions, Alberta Innovates – Technology Futures, Alberta Innovates – Health Solutions, EPCOR Utilities Inc. – EPCOR Water Services', Office of the Child and Youth Advocate and Unidentifiable Public Body.

Custodians	ADVICE AND DIRECTION	AUTHORIZATION TO DISREGARD A REQUEST	COMPLAINT	DISCLOSURE IN THE PUBLIC INTEREST – SECTION 32 *FOIP*	ENGAGE IN OR COMMISSION A STUDY 84(1)(e) *HIA*	EXCUSE FEES	INVESTIGATION GENERTED BY COMMISSIONER	OFFENSE INVESTIGATION	PRIVACY IMPACT ASSESSMENTS	REQUEST FOR INFORMATION	REQUEST FOR REVIEW	REQUEST FOR REVIEW THIRD PARTY	REQUEST TIME EXTENSION	REQUEST FOR ADVANCE RULING	SELF-REPORTED BREACH	TOTAL
Alberta Health and Wellness	0	0	2	0	0	0	1	0	11	4	1	0	0	0	2	**21**
Affiliates and Information Managers (Electronic Medical Record Vendors/ Physician Office System Program, Consultants)	0	0	0	0	0	0	0	0	1	5	0	0	0	0	1	**7**
Boards, Councils, Committees, Panels, or Agencies created by Custodians	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	**1**
Chiropractors	0	0	0	0	0	0	0	0	4	0	0	0	0	0	0	**4**
Hospital Boards (Covenant Health)	0	0	0	0	0	0	0	0	1	1	3	0	0	0	1	**6**
Dentists	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	**2**
Health Professional Colleges and Associations	0	0	0	0	0	0	0	0	1	9	0	0	0	0	0	**10**
Non-Custodian (OIPC)	0	0	0	0	1	0	0	0	0	0	0	0	0	0	0	**1**
Nursing Homes	0	0	1	0	0	0	0	0	2	1	0	0	0	0	3	**7**
Optometrists	0	0	0	0	0	0	0	0	0	0	5	0	0	0	0	**5**
Pharmacies/Pharmacists	0	0	0	0	0	0	4	0	41	3	0	0	0	0	3	**51**
Physicians	1	0	7	0	0	0	3	0	314	7	8	0	0	0	29	**369**
*Primary Care Networks	0	0	0	0	0	0	0	0	12	4	0	0	0	0	0	**16**
Provincial Health Boards (Health Quality Council)	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	**2**
Researchers	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	**2**
Registered Nurses	0	0	0	0	0	0	0	1	15	1	0	0	0	0	0	**17**
Regional Health Authorities (Alberta Health Services)	0	1	2	0	0	0	6	0	24	8	11	0	0	0	15	**67**
Research Ethics Boards	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	**1**
Subsidiary Health Corporations	0	0	5	0	0	0	1	1	6	0	0	0	0	0	2	**15**
Universities/Faculties of Medicine	0	0	0	0	0	0	0	0	0	6	0	0	0	0	0	**6**
Total	**1**	**1**	**17**	**0**	**1**	**0**	**15**	**2**	**434**	**52**	**28**	**0**	**0**	**0**	**59**	**610**

* Primary Care Networks are formed on the basis of an agreement between custodians: a group of physicians located within a given geographic area, Alberta Health Services, and Alberta Health and Wellness. However, the resulting Primary Care Network organizations are not custodians.

PIPA Organization Type	ADVICE AND DIRECTION	AUTHORIZATION TO DISREGARD A REQUEST	COMPLAINT	DISCLOSURE IN THE PUBLIC INTEREST – SECTION 32 *FOIP*	ENGAGE IN OR COMMISSION A STUDY S.44(1)(E) *HIA*	EXCUSE FEES	INVESTIGATION GENERTED BY COMMISSIONER	OFFENSE INVESTIGATION	PRIVACY IMPACT ASSESSMENTS	REQUEST FOR INFORMATION	REQUEST FOR REVIEW	REQUEST FOR REVIEW THIRD PARTY	REQUEST TIME EXTENSION	REQUEST FOR ADVANCE RULING	SELF-REPORTED BREACH	TOTAL
Accommodation & Food Services	0	0	5	0	0	0	0	0	0	0	3	0	0	0	2	**10**
Admin & Support Services	0	0	3	0	0	0	0	0	0	0	3	0	0	0	1	**7**
Construction	0	0	2	0	0	0	0	0	0	0	4	0	0	0	1	**7**
Educational Services	0	0	2	0	0	0	0	0	0	0	2	0	0	0	0	**4**
Finance	0	0	3	0	0	0	0	0	0	2	1	0	0	0	14	**20**
Private Healthcare & Social Assistance	0	0	3	0	0	0	0	0	1	2	3	0	0	0	3	**12**
Information & Cultural Industries	0	0	2	0	0	0	0	0	0	0	0	0	0	0	5	**7**
Insurance Industry	0	0	5	0	0	0	0	0	0	0	3	0	0	0	10	**18**
Manufacturing	0	0	2	0	0	0	0	0	0	0	0	0	0	0	3	**5**
Mining, Oil & Gas	0	0	2	0	0	0	0	0	0	0	9	0	0	0	4	**15**
Professional, Scientific & Technical	0	0	6	0	0	1	0	0	0	0	3	0	0	0	8	**18**
Public Administration	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	**0**
Real Estate, Rental, Leasing	0	0	15	0	0	0	0	0	0	0	3	0	0	0	3	**21**
Retail	0	0	13	0	0	1	0	0	0	0	4	0	0	1	13	**32**
Transportation	0	0	2	0	0	0	0	0	0	0	1	0	0	0	0	**3**
Utilities	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	**4**
Wholesale Trade	0	0	0	0	0	0	0	0	0	0	0	0	0	0	2	**2**
Arts, Entertainment & Recreation	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	**2**
*Other Services	0	0	16	0	0	0	2	0	0	6	20	0	0	0	22	**66**
Total	**0**	**0**	**82**	**0**	**0**	**2**	**2**	**0**	**1**	**10**	**61**	**0**	**0**	**1**	**94**	**253**

* Other Services include repair, personal care, beauty shops, unions, parking lots, religious organizations, business associations, political organizations, professional regulatory organizations, courier services, agricultural companies and condo boards.

Appendix B: Cases Closed 2011-12 Fiscal Year by Public Body, Custodian and Organization Type

STATISTICS ARE FROM THE PERIOD APRIL 1, 2011 TO MARCH 31, 2012

FOIP Public Body Type	ADVICE AND DIRECTION	AUTHORIZATION TO DISREGARD A REQUEST	COMPLAINT	DISCLOSURE IN THE PUBLIC INTEREST – SECTION 32 FOIP	ENGAGE IN OR COMMISSION A STUDY 84(1)(E) HIA	EXCUSE FEES	INVESTIGATION GENERATED BY COMMISSIONER	OFFENSE INVESTIGATION	PRIVACY IMPACT ASSESSMENTS	REQUEST FOR INFORMATION	REQUEST FOR REVIEW	REQUEST FOR REVIEW THIRD PARTY	REQUEST TIME EXTENSION	REQUEST FOR ADVANCE RULING	SELF-REPORTED BREACH	TOTAL
Boards	0	0	9	0	0	3	2	0	0	0	6	1	2	0	1	**24**
Child and Family Service Authorities	0	0	1	0	0	0	0	0	1	0	4	0	6	0	0	**12**
Colleges	0	0	3	0	0	0	1	0	0	1	0	0	1	0	0	**6**
Commissions	0	0	0	0	0	0	1	0	0	2	2	2	0	0	0	**7**
Committees	0	0	0	0	0	0	0	0	0	0	2	0	0	0	0	**2**
Crown Corporations	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	**1**
Government Ministries/ Departments	0	1	12	0	0	1	2	1	17	28	57	4	25	0	4	**152**
Law Enforcement Agencies	0	0	8	1	0	0	0	0	0	0	34	0	2	0	1	**46**
Legislative Assembly Office	0	0	0	0	0	0	0	0	0	1	0	0	0	0	0	**1**
Local Government Bodies	0	0	2	0	0	0	0	0	0	0	0	0	0	0	0	**2**
Metis Settlements	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	**1**
Municipalities	0	3	12	0	0	0	2	0	0	3	21	8	0	0	0	**49**
Nursing Homes	0	0	1	0	0	0	0	0	0	0	2	1	0	0	0	**4**
Officers of the Legislature	0	0	0	0	0	0	0	0	0	0	2	0	0	0	2	**4**
Premier's Office	0	0	0	0	0	0	0	0	0	0	1	0	0	0	0	**1**
Panels	0	0	0	0	0	0	0	0	0	0	0	0	1	0	0	**1**
Regional Health Authorities (Alberta Health Services)	0	0	4	0	0	2	2	0	0	0	9	1	0	0	3	**21**
Research Ethics Boards	0	0		0	0	0	0	0	0	1	0	0	0	0	0	**1**
School Districts	0	0	10	0	0	0	0	0	1	2	10	1	0	0	4	**28**
Universities	0	0	4	0	0	0	1	0	4	3	5	0	3	0	5	**25**
*Other Public Bodies	0	0	1	0	0	0	0	0	1	0	3	0	1	0	0	**6**
Total	**0**	**4**	**68**	**1**	**0**	**6**	**11**	**1**	**24**	**41**	**159**	**18**	**41**	**0**	**20**	**394**

* Public Body types identified as "Other" category include: Alberta Innovates – Bio Solutions, Alberta Innovates – Energy and Environment Solutions, Alberta Innovates – Technology Futures, Alberta Innovates – Health Solutions, EPCOR Utilities Inc. – EPCOR Water Services', Office of the Child and Youth Advocate and Unidentifiable Public Body.

Custodians	ADVICE AND DIRECTION	AUTHORIZATION TO DISREGARD A REQUEST	COMPLAINT	* DISCLOSURE IN THE PUBLIC INTEREST – SECTION 32 *FOIP*	ENGAGE IN OR COMMISSION A STUDY 84(1)(E) *HIA*	EXCUSE FEES	INVESTIGATION GENERTED BY COMMISSIONER	OFFENSE INVESTIGATION	PRIVACY IMPACT ASSESSMENTS	REQUEST FOR INFORMATION	REQUEST FOR REVIEW	REQUEST FOR REVIEW THIRD PARTY	REQUEST TIME EXTENSION	REQUEST FOR ADVANCE RULING	SELF-REPORTED BREACH	TOTAL
Alberta Health and Wellness	0	0	2	0	0	0	0	0	14	5	1	0	0	0	1	**23**
Affiliates and Information Managers (Electronic Medical Record Vendors/ Physician Office System Program, Consultants)	0	0	0	0	0	0	0	0	1	5	0	0	0	0	0	**6**
Boards, Councils, Committees, Panels, or Agencies created by Custodians	0	0	0	0	0	0	0	0	0	1	1	0	0	0	0	**2**
Chiropractors	0	0	0	0	0	0	0	0	2	0	0	0	0	0	0	**2**
Dentists	0	0	1	0	0	0	0	0	0	0	0	0	0	0	1	**2**
Health Professional Colleges and Associations	0	0	0	0	0	0	0	0	0	12	0	0	0	0	0	**12**
Hospital Boards (Covenant Health)	0	0	1	0	0	0	3	0	2	1	2	0	0	0	1	**10**
Nursing Homes	0	0	1	0	0	0	0	0	2	0	0	0	0	0	2	**5**
Optometrists	0	0	0	0	0	0	0	0		0	5	0	0	0	0	**5**
Pharmacies/Pharmacists	0	0	0	0	0	0	4	0	44	2	0	0	0	0	3	**53**
Physicians	1	0	11	0	0	0	2	13	326	6	9	0	0	0	27	**395**
*Primary Care Networks	0	0	0	0	0	0	0	0	13	5	1	0	0	0	1	**20**
Provincial Health Boards	0	0	0	0	0	0	0	0	1	0	0	0	0	0	0	**1**
Researchers	0	0	0	0	0	0	0	0	0	1	0	0	0	0	1	**2**
Registered Nurses	0	0	0	0	0	0	0	2	3	1	0	0	0	0	0	**6**
Regional Health Authorities (Alberta Health Services)	0	0	8	0	0	0	3	1	7	6	14	0	0	0	13	**52**
Research Ethics Boards	0	0	0	0	0	0		0		3	0	0	0	0	0	**3**
Subsidiary Health Corporations	0	0	0	0	0	0	1	0	4	0	0	0	0	0	1	**6**
Universities/Faculties of Medicine	0	0	2	0	0	0	1	0	0	6	0	0	0	0	0	**9**
Total	**1**	**0**	**26**	**0**	**0**	**0**	**14**	**16**	**419**	**54**	**33**	**0**	**0**	**0**	**51**	**614**

* Primary Care Networks are formed on the basis of an agreement between custodians: a group of physicians located within a given geographic area, Alberta Health Services, and Alberta Health and Wellness. However, the resulting Primary Care Network organizations are not custodians.

PIPA Organization Type	ADVICE AND DIRECTION	AUTHORIZATION TO DISREGARD A REQUEST	COMPLAINT	DISCLOSURE IN THE PUBLIC INTEREST – SECTION 32 *FOIP*	ENGAGE IN OR COMMISSION A STUDY 84(1)(E) *HIA*	EXCUSE FEES	INVESTIGATION GENERTED BY COMMISSIONER	OFFENSE INVESTIGATION	PRIVACY IMPACT ASSESSMENTS	REQUEST FOR INFORMATION	REQUEST FOR REVIEW	REQUEST FOR REVIEW THIRD PARTY	REQUEST TIME EXTENSION	REQUEST FOR ADVANCE RULING	SELF-REPORTED BREACH	TOTAL
Accommodation & Food Services	0	0	16	0	0	0	0	0	0	0	1	0	0	0	2	**19**
Admin & Support Services	0	0	4	0	0	0	0	0	0	0	3	0	0	0	2	**9**
Construction	0	0	4	0	0	0	0	0	0	0	3	0	0	0	1	**8**
Educational Services	0	0	2	0	0	0	0	0	0	0	2	0	0	0	0	**4**
Finance	0	0	5	0	0	0	0	0	0	3	2	0	0	0	15	**25**
Private Healthcare & Social Assistance	0	0	10	0	0	0	0	0	1	2	6	0	0	0	3	**22**
Information & Cultural Industries	0	0	1	0	0	0	0	0	0	0	0	0	0	0	5	**6**
Insurance Industry	0	0	6	0	0	0	0	0	0	0	4	0	0	0	9	**19**
Manufacturing	0	0	6	0	0	0	0	0	0	0	3	0	0	0	4	**13**
Mining, Oil & Gas	0	0	7	0	0	0	0	0	0	0	11	0	0	0	4	**22**
Professional, Scientific & Tech.	0	0	9	0	0	1	0	0	0	0	8	0	0	0	5	**23**
Public Administration	0	0	1	0	0	0	0	0	0	0	0	0	0	0	0	**1**
Real Estate, Rental & Leasing	0	0	13	0	0	0	0	0	0	0	4	0	0	0	3	**20**
Retail	0	0	21	0	0	1	0	0	0	0	4	0	0	1	12	**39**
Transportation	0	0	2	0	0	0	0	0	0	0	2	0	0	0	0	**4**
Utilities	0	0	1	0	0	0	0	0	0	0	2	0	0	0	2	**5**
Wholesale Trade	0	0	3	0	0	0	0	0	0	0	0	0	0	0	2	**5**
Arts, Entertainment & Recreation	0	0	2	0	0	0	0	0	0	0	0	0	0	0	2	**4**
*Other Services	0	1	22	0	0	0	1	0	0	3	17	0	0	0	20	**64**
Total	**0**	**1**	**135**	**0**	**0**	**2**	**1**	**0**	**1**	**8**	**72**	**0**	**0**	**1**	**91**	**312**

* Other Services include repair, personal care, beauty shops, unions, parking lots, religious organizations, business associations, political organizations, professional regulatory organizations, courier services, agricultural companies and condo boards.

Appendix C: Orders and Public Investigation Reports Issued

STATISTICS ARE FROM THE PERIOD APRIL 1, 2011 TO MARCH 31, 2012

FOIP Respondent	Orders	Decisions	Public Investigation Reports	Total
Agriculture Financial Services Corporation	1	0	0	1
Alberta Children and Youth Services	2	0	0	2
Alberta Employment and Immigration	1	0	0	1
Alberta Energy	1	0	0	1
Alberta Finance and Enterprise	1	0	0	1
Alberta Health and Wellness	1	0	0	1
Alberta Health Services	2	0	1	3
Alberta Innovates-Technology Futures	1	0	0	1
Alberta Seniors	1	0	0	1
Alberta Solicitor General & Public Security	1	0	0	1
Alberta Sustainable Resource Development	2	0	0	2
Buffalo Trail Public Schools Regional Division No. 28	1	0	0	1
Calgary Board of Education	1	0	0	1
Calgary Police Service	3	0	0	3
City of Edmonton	1	0	0	1
County of Thorhild No. 7	1	0	0	1
Edmonton Police Commission	1	0	0	1
Edmonton Police Service	4	0	0	4
Edmonton Public School District No. 7	0	0	1	1
Energy Resources Conservation Board	1	0	0	1
Holy Family Catholic Regional Division No. 37	1	0	0	1
Medicine Hat Police Service	2	0	0	2
Natural Resources Conservation Board	1	0	0	1
Out-of-Country Health Services Committee	1	0	0	1
Red Deer Public School District No. 104	1	0	0	1
Service Alberta	0	1	0	1
Summer Village of Gull Lake	1	0	0	1
Town of Ponoka	1	0	0	1
University of Alberta	1	0	0	1
University of Calgary	3	0	0	3
Workers' Compensation Board	2	0	0	2
Sub-Total	**41**	**1**	**2**	**44**

HIA Respondent	Orders	Decisions	Public Investigation Reports	Total
Alberta Health Services	3	0	1	4
Dr. Constance Chik, University of Alberta, Div of Endocrinology & Metabolism and Covenant Health (Hospital Board)	0	0	1	1
Dr. Keith Wycliffe-Jones, UCMC Sunridge Clinic	0	0	1	1
Out-Of-Country Health Services Committee	1	0	0	1
Sub-Total	**4**	**0**	**3**	**7**

PIPA Respondent	Orders	Decisions	Public Investigation Reports	Total
Alberta Teachers' Association	0	1	0	1
Albian Sands Energy Inc.	1	0	0	1
Borden Ladner Gervais LLP	1	0	0	1
Canavista Enterprises Ltd.	1	0	0	1
Davidson & Williams LLP	0	1	0	1
Double 'L' Towing	1	0	0	1
Fairways Villas South Homeowners' Association	1	0	0	1
Real Estate Council of Alberta	3	0	0	3
The Great-West Life Assurance Company	1	0	0	1
Yellow Pages Group Co.	1	0	0	1
Sub-Total	**10**	**2**	**0**	**12**
Total	**55**	**3**	**5**	**63**

***FOIP* Orders:**	**41 (41 cases)**	***HIA* Orders:**	**4 (4 cases)**	***PIPA* Orders:**	**10 (10 cases)**
***FOIP* Decisions:**	**1 (1 case)**	***HIA* Decisions:**	**0 (0 cases)**	***PIPA* Decisions:**	**2 (3 cases)**

This Table contains all Orders released by the OIPC whether the issuance of the Orders/Decisions concluded the matter or not. The OIPC has issued Orders/Decisions during this Fiscal Year that related to the matter but did not conclude/close the file.

Notes: An "Order" is a decision that concludes and closes a file. A "Decision" is made during the inquiry process and does not conclude or close a file.

Orders with one order number covering more than one public body or organization are counted as one order; an order containing more than one order number is counted according to the number of order numbers listed on the order.

Some Orders and/or Report Numbers were assigned to more than one case.

Orders/Decisions are recorded by the date the Orders/Decisions were signed, rather than the date the Orders/Decisions were publicly released.

Under the legislation, only certain case types can proceed to inquiry if the matters are not resolved at mediation/investigation. The above statistics are those case types that can proceed to inquiry (Request for Review and Complaint files).

Please refer to **Tables 1** and **2** and **Appendices A** and **B** for total cases opened and closed. A copy of all Orders/Decisions and Investigation Reports are available on the Office's web site **www.oipc.ab.ca**.

Appendix D: Accepted Privacy Impact Assessments by Public Body and Custodian Type: 2011-12

STATISTICS ARE FROM THE PERIOD APRIL 1, 2011 TO MARCH 31, 2012

Public Body	PIA Title
Ministries/Departments	
Alberta Advanced Education & Technology	Dr. Gary McPherson Leadership Scholarship PIA
Alberta Corporate Human Resources	Pre-employment Psychological Assessment
Alberta Education	Family Support for Children with Disabilities and Program Unit Funding Pilot Project PIA
Alberta Employment and Immigration	Alberta Innovates – Energy and Environment Solutions (AIEES) Energy Innovation Platform of Alberta (EIPA)
Alberta Employment and Immigration	Child and Youth Data Laboratory Initiative
Alberta Employment and Immigration	Child and Youth Data Laboratory Initiative: Project 1
Alberta Finance	Statistical Review of Albertans Injured in an Automobile Collision
Alberta Health and Wellness	Alberta Pharmaceutical Strategy Seniors Income Data Exchange
Alberta Housing and Urban Affairs	Calgary Homeless Management Information Systems
Alberta Human Services	Child Care Subsidy Program
Alberta Human Services	Family Support for Children with Disabilities and Program Unit Funding Pilot Project PIA
Alberta Human Services	Identification Verification for Child Care Staff Certification
Alberta Human Services	Intervention Services Information System (ISIS) Project
Alberta Infrastructure	Online Parking Request and Administration System (OPRA)
Alberta Justice and Attorney General	Recalculation Information Online
Alberta Transportation	e-Collision
School Districts	
Edmonton Public School District No. 7	Centre High Campus On-Line Registration System
Universities	
Athabasca University	Amendment: The Exam Harmonization Programme (EHP) involving CatchMyData/QLOX
Athabasca University	Athabasca University Official Facebook Page
Athabasca University	Moodle Analytics
Mount Royal University	Monster Hockey Pool Fundraising Tool

Custodians	PIA Title
Chiropractors	
Dr. Judy Williamson, Back to Motion Chiroptactic	Electronic Medical Records
Dr. Grant Cummings and Dr. Dale Byrne, Action Chiroptactic & Sport Therapy	Microquest: Digital Record System
Hospital Board	
Covenant Health	Institute for Reconstructive Sciences in Medicine Database
Covenant Health	Paceart System
Ministry HIA	
Alberta Health and Wellness	3rd Addendum – Business Intelligence Environment (BIE) PIA
	Addendum 1 Alberta Waitlist Registry Privacy Impact Assessment (PIA)
	Addendum 2 – Alberta Continuing Care Information System (ACCIS) – System Enhancement and Generic Data Extract (GDE)
	Alberta Healthcare Insurance Plan – Interprovincial Registration Data Exchange
	Alberta Pharmaceutical Strategy Seniors Income Data Exchange

Custodians	PIA Title
	Child and Youth Data Laboratory Initiative
	Health Human Resource Forecasting and Simulation Model
	Newborn Metabolic Screening
	Registration Continuance Project – 2nd Addendum – Privacy Impact Assessment
	Risk Management Grouper (RAG) Addendum 1 – Data from Alberta Health Services and the Health Quality Council of Alberta
	Third Addendum to the Immunization/Adverse Event PIA
	Third Addendum to the Pharmaceutical Information Network
Nursing Homes	
Good Samaritan Society	Amendment to the Good Samaritan Society Seniors' Health Centre – Satellite Clinic
Good Samaritan Society – Dr. Brian James Wirzba; Dr. Colin Fredrick MacDonald; Dr. Gregory Joseph Hrynchyshyn; Dr. Martin J. Baur; Dr. Gillian Isabel Ramsay	Physician Office System Program
Pharmacies/Pharmacists	
20/20 Pharmacy	Alberta Netcare
Apple Drugs Elk Point	Alberta Netcare
Banff Avenue Pharmacy	Alberta Netcare
Brent's Apothecary	Alberta Netcare
Bridlewood Pharmacy	Alberta Netcare
Capilano Pharmacy	Alberta Netcare
Care Plus #1 Pharmacy	Alberta Netcare
Clareview Medi Drugs (Medi Drugs #3)	Alberta Netcare
Dalbrent Pharmacy	Alberta Netcare
Dispensaries Limited – Sioux Road	Alberta Netcare
Edmonton Trail Pharmasave #392	Alberta Netcare
Future Drug Mart #2	Alberta Netcare
Green Apple Pharmacy	Alberta Netcare
Health Select Pharmacy (Tudor Glen)	Alberta Netcare
Health Select Remedy's Rx – St. Albert	Alberta Netcare
Hilltop Pharmacy	Alberta Netcare
Life Med Pharmacy #2	Alberta Netcare
Loblaw Companies Limited – H	Alberta Netcare
Lukes Drug Mart Renfrew	Alberta Netcare
Millwoods IDA Pharmacy	Alberta Netcare
Pharmasave 317 Jasper	Alberta Netcare
Pineridge Pharmacy	Alberta Netcare
Plaza 160 Pharmacy	Alberta Netcare
Prairie Pharmacy	Alberta Netcare
Remedy Rx	Alberta Netcare
Remedy's Rx (Chaparral)	Alberta Netcare
Remedy's Rx (Whitehorn)	Alberta Netcare
Scenic Acres Pharmacy	Alberta Netcare
Shamrock Pharmacy West	Alberta Netcare
Shoppers Drug Mart Inc. – Corporate Office	Alberta Netcare
Sprucewood Pharmacy & Homecare	Alberta Netcare
Super M Drugs	Alberta Netcare
Supermark Drugs	Alberta Netcare
Tawa Pharmasave	Alberta Netcare
The Medicine Shoppe #314; #317; #322; #328	Alberta Netcare
Wabamun Pharmacy Ltd.	Alberta Netcare
Westgate Pharmacy	Alberta Netcare
Wheatland Pharmacy	Alberta Netcare
Whitehorn Pharmacy	Alberta Netcare

Custodians	PIA Title
Physicians	
AltaPACS Inc.	Updated for EFW Radiology
Dr. Amin Lalani	Dr. Amin Lalani
Dr. Eleanor Stein	Outsourced Transcription
Dr. Jane Namussubo, Zoe Medical Centre	Inclusion in the Edmonton North PCN
Dr. Kenneth Lipinski, Pureform Diagnostic Imaging Clinics	PIA Amendment – H2623
Dr. Richard AuCoin, Radiology Associates Incorporated	Amended PIA – Radiology Associates Incorporated EMR (RIS) Project
Dr. William So	Specialist Referral System
Dr. William So of the Clareview Family Medical Clinic	Specialist Referral System hosted by Edmonton North PCN
EFW Radiology Clinic Sites & Physicians	
Advanced Spinal Care Centre (MSK); Advanced Medical Imaging Centre(Cambrian); Airdrie Clinic; Beddington Town Centre; Foothills Professional Building; Gulf Canada Square; Rockyview II; Maternal Fetal Medicine (MFM)	
Prostate Clinic; Southport Atrium; Sunridge Business Park – Library; University of Calgary	
Dr. Reinhard Kloiber; Dr. Kathleen Bell; Dr. Deepak Bhayana; Dr. Grant Brunet; Dr. Paul Burrowes; Dr. Cori Caughlin; Dr. Denis Chan; Dr. Niclolas Cochrane; Dr. Greg Connors; Dr. Bobbie Docktor; Dr. Tracy Elliott; Dr. Bevan Frizzell; Dr. Dean Frolich; Dr. Mayank Goyal; Dr. Robin Gray; Dr. Mary Hassard; Dr. Eric Herget; Dr. William Hu; Dr. Mark Hudon; Dr. John Larrigan; Dr. David Lautner; Dr. Andrew Lee; Dr. Lawrence Lou; Dr. Carmen Lydell; Dr. John Lysack; Dr. John MacGregor; Dr. Houman Mahallati; Dr. Naeem Merchant; Dr. Chris Molnar; Dr. William Morrish; Dr. Leonard Numerow; Dr. Roy Park; Dr. Chirag Patel; Dr. Kimiko Paterson; Dr. Stefan Przybojewski; Dr. Jeff Pollard; Dr. Earl Raber; Dr. David Reid; Dr. Clare Romano; Dr. David Sadler; Dr. James Scott; Dr. Robert Sevick; Dr. Rebecca Simrose; Dr. Dean Smith; Dr. Benny So; Dr. David Somerset; Dr. Carla Wallace; Dr. David Wiseman; Dr. Jason Wong	
Locum – Dr. Miles Cook; Dr. Sara Kelly	Amendment to Radiology Information System/Picture Archiving and Communications System ASP Project
Dr. Colin Safranovich, Ottewell Medical Clinic	
Dr. Jason Corrigan; Dr. Guy Blais; Dr. Gahlilb Ahmed	
Dr. Pierre Chue	Outsourced Transcriptions
Dr. Jonathan White	Electronic Medical Record
Rock View Clinic – Dr. Edward Aasman; Dr. Gordon William Brown; Dr. Kathleen Game; Dr. Kle J. Garrett; Dr. Chris John Kendall; Dr. Johannes Peters; Dr. Gregg Robinson; Dr. Kimberly Ann Rogers; Dr. Harold Gordon Roth; Dr. James John Saunders; Dr. Stephanus Andreas Van Zyl; Dr. Allan Donald Witten; Dr. Erus Peens	
Dr. Dolen Kirstein	Implementation of Automated Message Delivery System: HouseCalls
Dr. J.D. Matheson and Dr. D.J. Kutsogiannis	EMR – Janoke
Dr. John G. Cinats	Amendment to Alberta Bone and Joint Institute Care Service Project
Synergy Respiratory Care – Dr. Lyle Melenka; Dr. Taha Taher; Dr. Muhammad Naseem	
Dr. Fadi Khadour	Optimed Accuro EMR (Local Install)
Synergy Respiratory Care – Dr. Lyle Melenka; Dr. Taha Taher; Dr. Muhammad Naseem	
Dr. Fadi Khadour	Outsourced Transcription Services
Dr. Gaurie, Dr. Kumari, Fort Walk In Clinic	Wireless
Dr. Lorne Poon, New Image Cosmetic & Medical Centre	SpaMedWare Software Implementation
Red Deer – Central Alberta Methadone Program Clinic – Dr. Wayne Church; Dr. Glenn Kowalsky	Alberta Netcare
Calgary – Second Chance Recovery – Dr. Ian Postnikoff; Dr. Glenn Kowalsky	
Medicine Hat – Chinook Alberta Methadone Program – Dr. Ian M. Postnikoff	
Lethbridge – Northside Methadone Program – Dr. Jacob Barsky; Dr. Ian Postnikoff	
Dr. Douglas M. Anderson; Dr. Grace Simmons	Alberta Netcare
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Dr. Francois Oosthuizen; Dr. Marthinus Strydom; Dr. Rulene Mare	Alberta Netcare
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Dr. Donald Wilson	Alberta Netcare
Dr. Mark Antoniuk	Alberta Netcare

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Dr. Marci Wilson; Dr. Raymond Comea	Physician Office System Program
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Dr. Carmen Jadick	Physician Office System Program
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Grace & Sunnyside Maternity Clinic Pod – Dr. Linda Slocombe; Dr. Elwin Brown; Dr. Stephanie Kozma; Dr. Susan Kingston; Dr. Morag Goldie; Dr. Karen Zweirs; Dr. Rnagh Hatcher	Physician Office System Program
Northwest Pod – Dr. Sanjeeve Bhatla; Dr. Trevor Chan; Dr. Lisa Doffey; Dr. Diana Grainger; Dr. Sarb Grewal; Dr. Liana Hwang; Dr. Warren Stanich; Dr. Yi Hui Sun; Dr. Heather Taylor; Dr. Julie Thomson; Dr. Donna Wachowich; Dr. Carolyn Yoo	Physician Office System Program
Dr. Bill Hall; Dr. Stewart Hutton; Dr. Jaco Kruger; Dr. Nancy McPhee; Dr. Stephen O'Keefe; Dr. Paul Pashniak	Physician Office System Program
Dr. Thomas Sinclair	Physician Office System Program
Dr. Palaniswami Easwara Murthi; Dr. Manjula Easwara Murthi (Called Dr. Manjula)	Physician Office System Program
Dr. Jefferey J. Hankinson; Dr. Frederik Jacobus Wepener; Dr. Liezl Wepener; Dr. Wadih Boutros Azzi	Physician Office System Program
Dr. Richard Robert Hanelt; Dr. Sandy S.K. Koe; Dr. Bijan Pezeshki; Dr. Bing Li; Dr. Saeed Ahmadinejad; Dr. Zhi Li; Dr. Basdeo Nankissoor	Physician Office System Program
Dr. Charlene Lyndon; Dr. Astrid McLean; Dr. Nathalie De Bruin	Physician Office System Program
Dr. Gregory Chan; Dr. Robert Halse; Dr. Schalk Greyling; Dr. Martha Catharina Du Toit	Physician Office System Program

Custodians	PIA Title
Dr. Hor Ven A. Zung	Physician Office System Program
Dr. Robert Strank	Physician Office System Program
Dr. Brenda Wollin; Dr. Miriam Siderson; Dr. Kathleen Baergen; Dr. Katherine Kasha	Physician Office System Program
Dr. Kevin Arthur Mah; Dr. Usha Maharaj; Dr. Annette Dorothea Begalke; Dr. Indhri Govender	Physician Office System Program
Dr. Elizabeth Rokosh; Dr. Monica Henry; Dr. Mark Heule	Physician Office System Program
Dr. Ronald Gorsche; Dr. Sarah Makhdoom; Dr. Keith Spackman; Dr. Nicole Roper; Dr. Will Fortin; Dr. Christopher Powell; Dr. Kevin Walsh; Dr. Stephen Finnegan; Dr. Sarah Bell-Dingwall	Physician Office System Program
Dr. James B. Corley; Dr. David O'Neil	Physician Office System Program
Dr. David C. Stewart; Dr. Merrill Steed; Dr. David Koegler; Dr. Joel Weaver; Dr. Calvin Stewart; Dr. Aaron Coma; Dr. Wayne Burton; Dr. Mark Cahill	Physician Office System Program
Dr. Arthur Keith Laatsch	Physician Office System Program
Dr. Ashesh Pabbies	Physician Office System Program
Dr. Victor Avramenko; Dr. Nada Bodruzic; Dr. Rahim Damji; Dr. Heather Gooden	Physician Office System Program
Dr. Paul Soper	Physician Office System Program
Dr. C. Lyddell; Dr. S. Dube; Dr. C. Lewis; Dr. B. Norris	Physician Office System Program
Dr. Christopher Gorrie	Physician Office System Program
Dr. Olufunmi O. Lasore; Dr. Christina Stocks; Dr. Carrie Abrahamson; Dr. Philip Braithwaite	Physician Office System Program
Dr. Gordon Bailey	Physician Office System Program
Dr. Douglas Fonteyne; Dr. Colleen Johnston; Dr. John Chiu; Dr. Darrell Hartman	Physician Office System Program
Dr. Gurdip S. Sidhu; Dr. Ian Bailes	Physician Office System Program
Dr. Maria El Lourens	Physician Office System Program
Dr. Tanis Blench; Dr. Susan Lea-Makenny; Dr. Tony Lynch; Dr. Carmen Poirier	Physician Office System Program
Dr. Mary Lou Myles	Physician Office System Program
Dr. Fatin Adams	Physician Office System Program
Dr. Waseem Hassan; Dr. Louis Van Wyk; Dr. Abdul Majeed Abdul Satar	Physician Office System Program
Dr. Keshav Bhargava	Physician Office System Program
Dr. Alan McPherson; Dr. Alan Billett; Dr. Mike Galbraith; Dr. Dave Meller; Dr. Don Gibb; Dr. Ryan Derman; Dr. Susan Byers; Dr. Peter Greidanus; Dr. Danile Steeves; Dr. Linda Herbert; Dr. Mark Musk; Dr. Duncan McLuckie; Dr. Adele Engelbrecht; Dr. Chantal McLuckie; Dr. Owen Ukrainetz; Dr. Terry Longair; Dr. Lynn Shaw	Physician Office System Program
Dr. Lynne Robertson	Physician Office System Program
Dr. Kym L. Jim	Physician Office System Program
Dr. Timothy Dowdall; Dr. Jaques Branch; Dr. Brian Doran; Dr. Valerie Congdon; Dr. Noel Grisdale; Dr. Tristan Hembroff; Dr. Pollie Lumby; Dr. Gary Ray; Dr. Matthew Schuk; Dr. Brian Siray	Physician Office System Program
Dr. David Roseman; Dr. Raphael Felix Sharon; Dr. Donald William McConnell	Physician Office System Program
Dr. Victor Fadayomi; Dr. Lawrence Kitwanda; Dr. O. Joseph Doherty; Dr. Mileva Stojanovic	Physician Office System Program
Dr. Benjamin Chiam; Dr. Peter Wei; Dr. Marc Bibeau	Physician Office System Program
Dr. Dan-Bing Wang; Dr. Xuandieu Nguyen	Physician Office System Program
Dr. Michael Geoghegan	Physician Office System Program
Dr. D.M. du Toit; Dr. M.L. Swart; Dr. F.W. van der Westhuizen	Physician Office System Program
Dr. Hasan Hafiz; Dr. Tulika Karan	Physician Office System Program
Dr. Sandra Lahey; Dr. Andy Gill; Dr. Dwight Nelson; Dr. Julie Torrie (Locum)	Physician Office System Program
Dr. Salomy David; Dr. Luisa F. Caro; Dr. Emma Beeharry; Dr. IB Popovic; Dr. Feroza Rajan	Physician Office System Program
Dr. Elaine Bland; Dr. Ramona Chrisohou; Dr. Monica Chu; Dr. Glenn Curtis; Dr. Rajvir Dhillon; Dr. Judy Eley; Dr. Cynthia Fontaine; Dr. Deborah Sung	Physician Office System Program
Dr. Grant Sawsky	Physician Office System Program
Dr. Wynand Wessels; Dr. Oluwatosin (Tosin) Akindapo Akinbiyi; Dr. Raubenheimer Denkema	Physician Office System Program
Dr. Edmund Barker; Dr. Niels Damgaard; Dr. Gerald Meding; Dr. Matt Maree; Dr. Susan Rees; Dr. Leo Short	Physician Office System Program
Dr. Shameela Karmali-Rawji; Dr. Habeeb T. Ali; Dr. Ishioma Ejiofor; Dr. Walter Gjosund; Dr. Jaimala Maharaj; Dr. Dwight Nelson	Physician Office System Program
Dr. Mario Glas; Dr. Franz Jonker; Dr. Solomon Vanderwesthuizen	Physician Office System Program
Dr. Khalid Ansari	Physician Office System Program
Dr. Zlatko Kostic	Physician Office System Program
Dr. M. Gaas; Dr. Ahmed; Dr. A. Elhad; Dr. Alatrash	Physician Office System Program
Dr. Hasan Hfiz; Dr. Tulika Karan	Physician Office System Program
Dr. Elisabeth C. Lewke-Bogle	Physician Office System Program
Dr. Tim Yep; Dr. Bruce Hedges; Dr. Anne Lee; Dr. Feliciem Mbuyi; Dr. H. Mukiibi; Dr. Deborah Rotzinger	Physician Office System Program

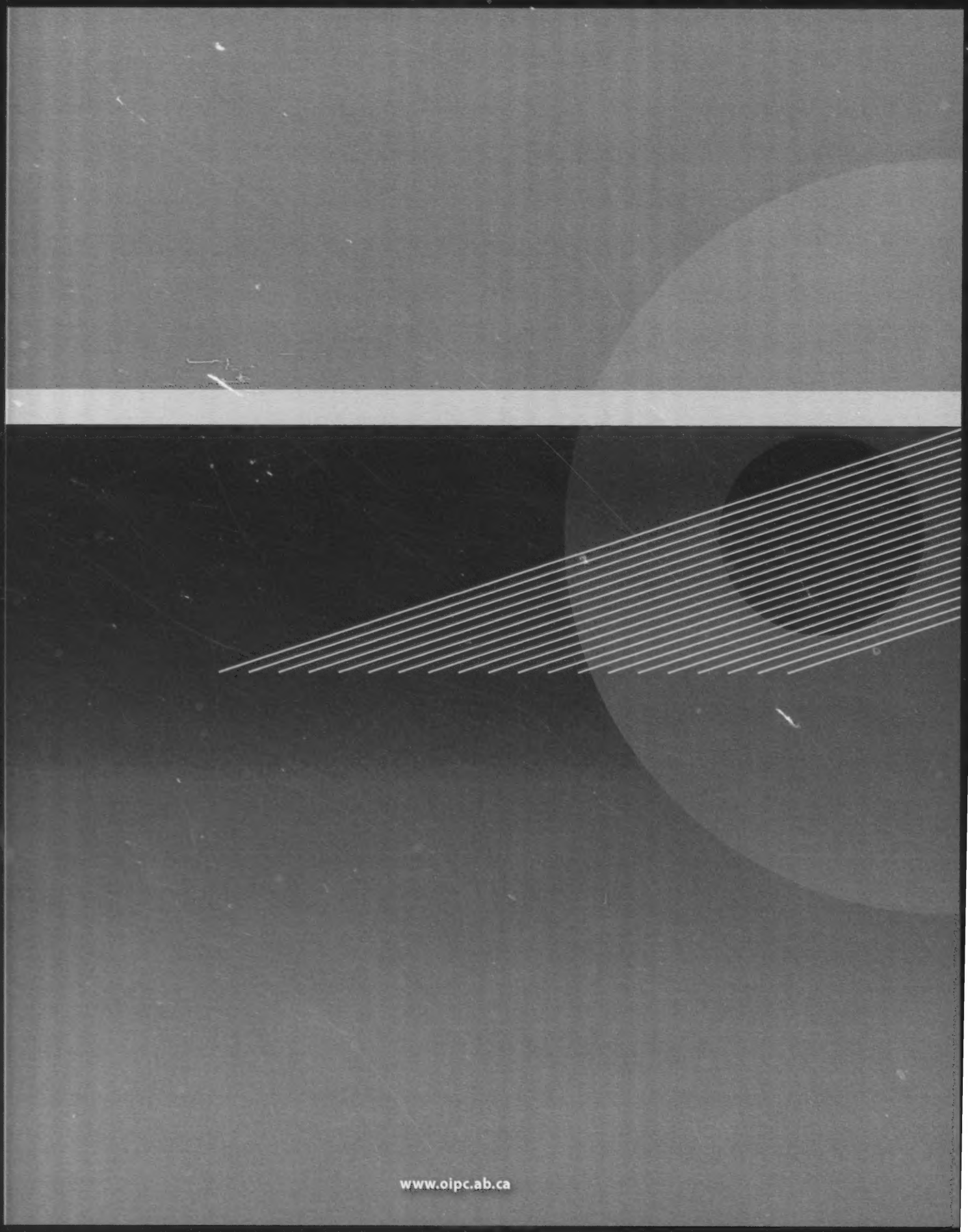
Custodians	PIA Title
Dr. Swapna Masurkar	Physician Office System Program
Dr. Shameem Shaker; Dr. Mohammad Shahbaz	Physician Office System Program
Dr. Michelle Deyholos; Dr. Andrew Eddy; Dr. David Sparkes; Dr. Yolanda Kao; Dr. Peter Dunham	Physician Office System Program
Dr. Stephen John George Mintsioulis; Dr. Thomas King Him Fungi; Dr. Leah Anne Dettman; Dr. Bonnie Rae Larson; Dr. Katrina Anne Sawatsky; Dr. Alfred Dei-Baning	Physician Office System Program
Dr. S. Lindsay; Dr. G. DuPleussis; Dr. H. Schroter; Dr. A. Kirk; Dr. M.T. Lavens; Dr. Otto Rorstad; Dr. Pin Li; Dr. P Sullivan	Physician Office System Program
Dr. Stephen John George Mintsioulis; Dr. Thomas King Him Fungi; Dr. Leah Anne Dettman; Dr. Bonnie Rae Larson; Dr. Katrina Anne Sawatsky; Dr. Alfred Dei-Baning	Physician Office System Program
Dr. Dale Malus; Dr. Barbara Hardt	Physician Office System Program
Dr. William Healley; Dr. Karyn Hellman; Dr. Edith Kooiman; Dr. Elspeth Verkley	Physician Office System Program
Dr. Trung Vu; Dr. Patrick Chi Wang Lai; Dr. Simon Arthur; Dr. Julian Chew; Dr. Don Ramsey; Dr. Deborah Rotzinger; Dr. Sara Wiesenberg; Dr. Harwant Van Zuiden; Dr. Barry Hardin; Dr. Brian Spence; Dr. Al Stanhope	Physician Office System Program
Dr. Stephanie Mullin; Dr. Eric Babins	Physician Office System Program
Dr. John George Fegler; Dr. Sara Kunneman; Dr. Romuald Zapasnik; Dr. Stephanie Kozma; Dr. Russell James Paul Sawa; Dr. Joanna Z. Stuchly	Physician Office System Program
Dr. Catherine M. Zip	Physician Office System Program
Dr. Oluwole David Odugbemi; Dr. Omair Vicaruddin; Dr. Zehra Vicaruddin	Physician Office System Program
Dr. Sunnie Oyama	Physician Office System Program
Dr. Simon Eriki	Physician Office System Program
Dr. Jennifer Brandon; Dr. Deborah Ferguson; Dr. Liesel Gillies; Dr. Neera Logsetty; Dr. Shelley Stokes; Dr. Astrid Tupper	Physician Office System Program
Dr. Talib Muhammed	Physician Office System Program
Dr. Connie Ellis; Dr. Liana Hwang; Dr. Nadine Moneta; Dr. Serge Soolsma; Dr. Carla Morden; Dr. Agnes Thompson; Dr. Sangeev Bhatla; Dr. Remo Depalma; Dr. Dale Cole; Dr. Kristin Harris; Dr. Warren Stanich; Dr. Lisa Coffey; Dr. Gabrielle Savard; Dr. Carly Conly	Physician Office System Program
Dr. R. Gregg; Dr. G. Arnett; Dr. M Bouliane; Dr. R. Glasgow; Dr. A. Lalani; Dr. P. Wong; Dr. N. Wong; Dr. S. Yaltho	Physician Office System Program
Dr. Sadrudin Dhanji; Dr. Flora Aladi	Physician Office System Program
Dr. Michael Davison; Dr. Marni Bryson	Physician Office System Program
Dr. J.C. Strauss; Dr. Pierre D. Crouse	Physician Office System Program
Dr. L. Farries; Dr. P Hardy; Dr. M. Muirhead; Dr. P Panayides; Dr. S. Gregg; Dr. C. Menezes; Dr. R. Warburton	Physician Office System Program
Dr. Huw Jenkins; Dr. Gregory Ward	Physician Office System Program
Dr. Feng Chong	Physician Office System Program
Dr. Kevin Hildebrand	Physician Office System Program
Dr. Sakina Raj	Physician Office System Program
Dr. Werner De Vos	Physician Office System Program
Public Health Body	
Health Quality Counsel	Quality Reporting Initiative, Collection and Data Matching

Custodians	PIA Title
Primary Care Networks (PCN)	
Calgary Foothills Primary Care Network (PCN)	CFPCN Patient Panel Initiative
Calgary Foothills Primary Care Network (PCN)	Pan-CCN Patient Web Registry
Calgary Foothills Primary Care Network (PCN)	CFPCN Primary Care Centre – Foothills (FH)
Calgary Foothills Primary Care Network (PCN)	Update-Pan-PCN Patient Web Registry
Calgary West Central Primary Care Network (PCN)	PCN Program Evaluation and Quality Assurance
Cold Lake Primary Care Network (PCN)	Amendment – Introduction of EMR Cold Lake PCN
Edmonton North Primary Care Network (PCN)	Edmonton North Primary Care Network
Kalyna Country Primary Care Network (PCN)	Amendment for Kalyna Country PCN (Formerly Vegreville PCN); Organization Management PIA
Sherwood Park – Strathcona County Primary Care Network (PCN)	Amendment to H1643 – Netcare Portal 2006 and Microquest Health Quest EMR
Sherwood Park – Strathcona County Primary Care Network (PCN)	Patient Prompt Automated Appointment Reminder
South Calgary Primary Care Network (PCN)	POSP PIA VCUR 2008; Electronic Medical Records (EMR) and AB Netcare
Wetaskiwin and Area Primary Care Network (PCN)	Netcare Portal 2006 WOLF EMR (ASP Installation) Privacy Impact Assessment
Leduc Beaumont Devon Primary Care Network (PCN)	Referral Coordination Project
Regional Health Authorities	
Alberta Health Services	AHS Compliance with HIA Requirement to Establish Policies
	Alberta Health Services' Real-Time Emergency Patient Access and Coordination Program
	Amendment #1 – Real-Time Emergency Patient Access and Coordinator Program (REPAC)
	Amendment to the CoPath Plus
Registered Nurses	
Ms. Darlene Richter, RN, Stoney Health Centre	Stoney Health Centre Immunization Electronic System
Ms. Gisele Smith, RN, Siksika Health Services	Siksika Health Services Immunization PIA
Ms. Gisele Gagne, RN, Kehewin Health Services	Kehewin Health Service Immunization Electronic System
Subsidiary Health Corporations	
Calgary Laboratory Services	Automated Appointment Reminder System
Calgary Laboratory Services	DocVue
Calgary Laboratory Services	Amendment – Web Based Appointment Application
Dynal ll EDx Diagnostic Laboratory Services	Home Collections Information System (HCIS)
Dynal ll EDx Diagnostic Laboratory Services	Amendment – Home Collections Information Systems (HCIS)

New Custodians *	PIA Title
Affiliates and Information Managers (Electronic Medical Record Vendors/Physician Office System Program (POSP), Consultants)	
Physician Office System Program (POSP)	Patient Email Reminders PIA Addendum

* Primary Care Networks are formed on the basis of an agreement between custodians: a group of physicians located within a given geographic area, Alberta Health Services, and Alberta Health and Wellness. However, the resulting Primary Care Network organizations are not custodians.

For additional information regarding the above listed PIAs, please refer to the OIPC webpage at **www.oipc.ab.ca**.



www.oipc.ab.ca